Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners’ Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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 19 July 2021
Volume 46, Number 3
Pages 27 - 56
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- Withdrawn Rules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
- 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

<table>
<thead>
<tr>
<th>Vol. 46 Issue Number</th>
<th>Publish Date</th>
<th>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</th>
<th>Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)</th>
</tr>
</thead>
<tbody>
<tr>
<td>#4</td>
<td>Monday 26 July</td>
<td>Noon Tuesday 20 July</td>
<td>Noon Thursday 15 July</td>
</tr>
<tr>
<td>#5</td>
<td>Monday 2 August</td>
<td>Noon Tuesday 27 July</td>
<td>Noon Thursday 22 July</td>
</tr>
<tr>
<td>#6</td>
<td>Monday 9 August</td>
<td>Noon Tuesday 3 August</td>
<td>Noon Thursday 29 July</td>
</tr>
<tr>
<td>#7</td>
<td>Monday 16 August</td>
<td>Noon Tuesday 10 August</td>
<td>Noon Thursday 5 August</td>
</tr>
</tbody>
</table>

PUBLISHING NOTICES: We need to receive your submission ELECTRONICALLY in Microsoft WORD format. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a “State Register Printing Order” form, and, with contracts, a “Contract Certification” form. Non-State Agencies should submit ELECTRONICALLY in Microsoft WORD, with a letter on your letterhead stationery requesting publication and date to be published. Costs are $13.50 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or $81. About 1.5 pages typed, double-spaced, on 8-1/2”x11” paper = one typeset page in the State Register. Contact editor with questions (651) 201-3204, or e-mail: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

SEE THE Minnesota State Register free at website: http://www.mn.gov/admin/bookstore/register.jsp
- Minnesota State Register: Online subscription – $180, includes links, index, special section “CONTRACTS & GRANTS,” with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it’s sent to you via E-mail.
- Single issues are available electronically via PDF for free.
- “Affidavit of Publication” includes a notarized “Affidavit” and a copy of the issue: $15.00.

Governor: Tim Walz (651) 201-3400
Lieutenant Governor: Peggy Flanagan (651) 201-3400
Commissioner: Alice Roberts-Davis (651) 201-2601

Facilities Management Division: Christopher A. Guevin (651) 201-2350

Auditor: Julie Blaha (651) 296-2551
Secretary of State: Steve Simon (651) 296-2803

Attorney General: Keith Ellison (651) 296-3353

Editor: Sean Plemmons (651) 201-3204 sean.plemmons@state.mn.us

Minnesota Legislative Information

Senate Public Information Office
(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
https://www.senate.mn/

Minnesota State Court System
Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
http://www.mncourts.gov

House Public Information Services
(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
https://www.house.leg.state.mn.us/hinfo/hinfo.asp

Federal Register
Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
https://www.federalregister.gov/
## Minnesota Rules: Amendments and Additions

### Exempt Rules

**Department of Labor and Industry**
- **Occupational Safety and Health Division**
  - Adopted Exempt Rules Adopting an Emergency Temporary OSHA Standard Relating to Occupational Exposure to COVID-19 .................................................. 31

**Minnesota Department of Revenue**
- Adopted Exempt Permanent Rules Relating to Commissioner Filed Tax Returns ........... 32

### Adopted Rules

**Department of Health**
- Adopted Permanent Rules Governing Assisted Living Facilities ..................................... 33

### Executive Orders

**Office of the Governor**
- Executive Order 21-25: Protecting Minnesotans from “Conversion Therapy” ........... 43

### Official Notices

**Minnesota Department of Agriculture (MDA)**
- Agricultural Chemical Response & Reimbursement Account (ACRRA)
  - Notice of Public Hearing to Disclose Future ACRRA Surcharges .......................... 47

**Department of Employment and Economic Development (DEED)**
- Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748 ................. 47

**Department of Health**
- Division of Health Regulation – Managed Care Systems Section
  - Notice of Application for Essential Community Provider Status .................................. 48

**Department of Human Services (DHS)**
- Direct Care and Treatment
  - Public Notice of the Disproportionate Population Adjustment and Proposed/Final Payment Rates for State Operated Treatment Centers ............................................. 48

**Department of Human Services (DHS)**
- Health Care Administration
  - Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program ................................................................. 49

**Minnesota Plumbing Board**
- REQUEST FOR COMMENTS for Possible Amendment to Rules Governing the Minnesota Plumbing Code, Minnesota Rules, chapter 4714; R-04713 ..................................................... 50

**Department of Transportation (MnDOT)**
- Modal Planning and Program Management Division – Office of Transportation System Management
  - Notice of Public Comment Period for the Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update ...................................................... 51

### State Grants & Loans

**Department of Employment and Economic Development (DEED)**
- Notice of Grant Opportunity .......................................................................................... 52

**Department of Human Services**
- Disability Services Division
  - Notice of Request for Proposals to Administer Grants for Implementation of Electronic Visit Verification ......................................................................................... 52

### State Contracts

**Minnesota State Colleges and Universities (Minnesota State)**
- Non-Construction Related Bid and Contracting Opportunities ........................................ 53

**Department of Commerce**
- Division of Energy Resources

**Department of Employment and Economic Development**
- State Services for the Blind (SSB)
  - Request for Proposals for General Liability Insurance Coverage for Business Enterprises Program (BEP) Businesses ................................................................................... 54

**Minnesota Department of Transportation (MnDOT)**
- Engineering Services Division
  - Notices Regarding Professional/Technical (P/T) Contracting ........................................ 54

**Minnesota Zoo**
- Request for Proposals for Market Segmentation Model and Direct Mail Services ............ 55

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

**Metropolitan Emergency Services Board (MESB)**
- Request for Proposals for EMS Leadership Development Program ................................ 56

---

*SLEEVES UP, MASKS OFF! Get vaccinated for the summer you want.*

---

(Cite 46 SR 29)  Minnesota State Register, Monday 19 July 2021  Page 29
Minneapolis Rules: Amendments and Additions

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

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

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

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comments 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 the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

Volume 45 - Minnesota Rules
Volume 46, #3

Tuesday 6 July - Monday 19 July

Department of Health
4659 (adopted)............................................................... 33

Department of Labor and Industry
5205.0010 (adopted exempt)........................................... 31

Pollution Control Agency
7050.0222; .0224; 7053.0260; .0263 (adopted)................... 5

Racing Commission
7877.0130; .0170; .0180; 7890.0100; .0110; .0120; .0130; .0160 (adopted)................................................................. 6

Department of Revenue
8160.0620 (adopted exempt)........................................... 32
Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (Minnesota Statutes §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the State Register. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of Minnesota Statutes, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

(1) address a serious and immediate threat to the public health, safety, or welfare, or
(2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with Minnesota Statutes Sections 14.14-14.28, or
(3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
(4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the State Register. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. Strikeout indicates 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.

Department of Labor and Industry
Occupational Safety and Health Division

Adopted Exempt Rules Adopting an Emergency Temporary OSHA Standard Relating to Occupational Exposure to COVID-19

NOTICE IS HEREBY GIVEN that Roslyn Robertson, Commissioner of the Department of Labor and Industry, has determined that employee exposure to the hazard of SARS-CoV-2 (the virus that causes COVID-19), presents a grave danger to workers in healthcare settings in Minnesota. This finding of grave danger is based on the science of how the virus spreads, the elevated risk in workplaces where COVID-19 patients are cared for, and the adverse health effects suffered by those who contract COVID-19. In accordance with Minnesota Statutes section 182.655, subdivision 11 (2020), the Commissioner has determined that an Emergency Temporary Standard (ETS) must be adopted to protect workers from this grave danger. This action by the Minnesota Department of Labor and Industry adopts a standard identical to the ETS adopted by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) on June 21, 2021. (Federal Register, Vol. 86, No. 116 dated June 21, 2021 pp. 32376-32628).

This ETS will take effect immediately upon publication in the State Register in accordance with Minnesota Statutes section 182.655, subdivision 11, and will remain in effect for up to six months.

All interested or affected persons may submit, in writing, data related to and views on the ETS. Comments in support of or in opposition to the ETS are encouraged. Each comment should identify the portion of the ETS addressed, and the reason for the comment.

Written comments should be sent to: Occupational Safety and Health Division, Department of Labor and Industry, 443 Lafayette Road N., St. Paul, Minnesota  55155-4307.

Roslyn Robertson
Commissioner
Exempt Rules

SUMMARY OF CHANGES

The following is a brief and partial summary of the proposed amendments. To review the complete ETS and Federal Register notice referenced above, visit www.osha.gov.

On June 21, 2021, Federal OSHA published an Emergency Temporary Standard in the Federal Register. Federal OSHA has issued an ETS to protect healthcare and healthcare support service workers from occupational exposure to COVID-19 in settings where people with COVID-19 are reasonably expected to be present.

During the period of the emergency standard, covered healthcare employers must develop and implement a COVID-19 plan to identify and control COVID-19 hazards in the workplace. Covered employers must also implement other requirements to reduce transmission of COVID-19 in their workplaces, related to the following: patient screening and management; standard and transmission-based precautions; personal protective equipment (PPE), including facemasks or respirators; controls for aerosol-generating procedures; physical distancing of at least six feet, when feasible; physical barriers; cleaning and disinfection; ventilation; health screening and medical management; training; anti-retaliation; recordkeeping; and reporting.

The standard encourages vaccination by requiring employers to provide reasonable time and paid leave for employee vaccinations and any side effects. It also encourages use of respirators, where respirators are used in lieu of required facemasks, by including a mini respiratory protection program that applies to such use.

Finally, the standard exempts from coverage certain workplaces where all employees are fully vaccinated and individuals with possible COVID-19 are prohibited from entry; and it exempts from some of the requirements of the standard fully vaccinated employees in well-defined areas where there is no reasonable expectation that individuals with COVID-19 will be present.

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

[For text of subparts 1 and 1a, see Minnesota Rules]

Subp. 2. Part 1910. Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the Federal Register on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes as follows:

[For text of items A to PP, see Minnesota Rules]


[For text of subparts 3 to 7, see Minnesota Rules]

Minnesota Department of Revenue

Adopted Exempt Permanent Rules Relating to Commissioner Filed Tax Returns

8160.0620 RETURNS MADE BY COMMISSIONER.

Subpart 1. Making returns. If a taxpayer fails to file a required return, the commissioner may make a return for the taxpayer under Minnesota Statutes, section 270C.33, subdivision 3. For the purposes of this part, the terms in items A and B have the meanings given.

A. A “commissioner filed return” means a return made by the commissioner under Minnesota Statutes, section 270C.33, subdivision 3.

B. The “filing date” of a commissioner filed return means the date the commissioner filed return is signed by the commissioner makes and files the return for the taxpayer under Minnesota Statutes, sections 270C.33, subdivision 3, and 270C.62.
Exempt Rules

Subp. 6. Interest and penalties. During the period in which the taxpayer may appeal a commissioner filed return to tax court and while an appeal is pending, interest under Minnesota Statutes, section 289A.55, subdivision 2, and penalties under Minnesota Statutes, section 289A.60, subdivisions 1, 2, and 3, continue to accrue during the period in which the taxpayer may appeal a commissioner filed return to tax court and while an appeal is pending.

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.

Department of Health
Adopted Permanent Rules Governing Assisted Living Facilities

The rules proposed and published at State Register, Volume 45, Number 24, pages 575-577, December 14, 2020 (45 SR 575), are adopted with the following modifications:

4659.0020 DEFINITIONS.

Subp. 14. Elopement. “Elopement” means a resident leaves the premises or a safe area without authorization or necessary supervision to do so when a secured dementia unit resident leaves the secured dementia unit, including any attached outdoor space, without the level of staff supervision required by the resident’s most recent nursing assessment.

4659.0030 RESPONSIBILITY TO MEET STANDARDS.

The facility must operate; licensee is responsible for the management, operation, and control of the facility and provide for providing housing and assisted living services according to this chapter and Minnesota Statutes, chapter 144G.

4659.0040 LICENSING IN GENERAL.

Subpart 1. License required. Effective August 1, 2021, no individual, organization, or government entity, unless licensed under Minnesota Statutes, chapter 144G, and in accordance to this chapter, may:

A. manage, control, or operate an assisted living facility in Minnesota; or

B. advertise, market, or otherwise promote its facility as providing assisted living services or specialized care for individuals with Alzheimer’s disease or other dementias.

Subp. 2. Subpart 1. Issuance of assisted living facility license.
Adopted Rules

A. Upon approving an application for an assisted living facility license, the commissioner must issue a single license for each building that is operated by the licensee as an assisted living facility and is located at a separate address—except as provided under item B.

B. Upon approving an application for an assisted living facility license, the commissioner may issue a single license for two or more buildings on a campus that are operated by the same licensee as an assisted living facility.

(1) For the purposes of this subpart, “campus” means:

(a) a single building having two or more addresses, located on the same property with a single property identification number;

(b) two or more buildings, each with a separate address, located on the same property with a single-property identification number; or

(c) two or more buildings at different addresses, located on properties that share a portion of a legal property boundary, with different property identification numbers.

(2) An assisted living facility license for a campus must identify the address and licensed resident capacity of each building located on the campus in which assisted living services are provided.

(3) Before any building to be included on a campus advertises, markets, or promotes itself as providing specialized care for individuals with Alzheimer’s disease or other dementias or a secured dementia care unit, the individual, organization, or government entity must apply for an assisted living facility with dementia care license for the campus, or apply for a separate assisted living facility with dementia care license for the building. These services may not be provided at the building until the license is issued by the commissioner.

B. For purposes of this part, “campus” has the meaning given in Minnesota Statutes, section 144G.08, subdivision 4a.

Subp. 2. License to be posted.

A. Effective August 1, 2021, a housing with services establishment registered under Minnesota Statutes, chapter 144D, that is providing assisted living services to residents at the time of license application, as allowed under Minnesota Statutes, sections 144G.01 to 144G.07, through an arranged home care provider licensed under Minnesota Statutes, chapter 144A, must convert to an assisted living facility license or an assisted living facility with dementia care...
Adopted Rules

license in order to continue to provide assisted living services in Minnesota:

B. In order to convert the registered housing with services establishment in item A to an assisted living facility license or an assisted living facility with dementia care license, a completed license application must be submitted according to Minnesota Statutes, section 144G.12:

C. Before issuing a license, the commissioner must consider the license application submitted under item B as required under Minnesota Statutes, section 144G.15. Upon approval of the license application submitted under item B, the commissioner shall issue a license that is not a provisional license as defined in Minnesota Statutes, section 144G.08, subdivision 55.

Subp. 2. Expiration. This part expires July 31, 2022:

4659.0070 ASSISTED LIVING LICENSURE; INITIAL LICENSE RENEWAL.

A. All assisted living facility licenses and assisted living facility with dementia care licenses with an initial effective date in August 2021, shall be valid through July 31, 2022. These licenses must be initially renewed on August 1, 2022.

B. Notices for renewal must be issued by the department to all licensees by May 1, 2022. The notice must include the following information:

(1) instructions for how to complete the renewal process, including completion of the renewal application and payment of the annual license fee according to Minnesota Statutes, section 144G.17;

(2) a new randomly assigned license renewal period that applies to all future license renewals;

(3) instructions for licensees to request a change to the randomly assigned renewal period based on financial hardship; and

(4) instructions for licensees with more than one assisted living facility license to request that all license renewal dates occur in the same month or in different months throughout a 12-month period.

C. License fees for the first license renewal will be prorated based on the randomly assigned license renewal period starting from August 1, 2022, as follows:

Assigned renewal month; must be completed by the 1st of the month:   The initial renewed license will be issued for:

January                5 months, ending December 31, 2022
February               6 months, ending January 31, 2023
March                  7 months, ending February 28, 2023
April                  8 months, ending March 31, 2023
May                    9 months, ending April 30, 2023
June                   10 months, ending May 31, 2023
July                   11 months, ending June 30, 2023
August                 12 months, ending July 31, 2023
September              13 months, ending August 31, 2023
October                14 months, ending September 30, 2023
November               15 months, ending October 31, 2023
December               16 months, ending November 30, 2023
Adopted Rules

D. All prorated license fees shall be based on the licensee’s annual fee in accordance with the fee schedule established by the commissioner in Minnesota Statutes, section 144.122, paragraphs (d) and (f). The amount of the annual fee will be divided by 12 to establish the monthly equivalent of that fee and that amount will be multiplied by the number of months in the assigned prorated renewal period. This amount must be paid by the date in the renewal instructions by the licensee in order to renew the license.

E. This part expires December 31, 2023.

4659.0080 VARIANCE.

Subpart 1. Request for variance. A license applicant or licensee may request at any time that the commissioner grant a variance from the provisions of this chapter. The request must be made in writing to the commissioner and must specify the following:

C. the variance requested and the time period for which the variance is requested;

F. justification that the variance will not impair the services provided, and will not adversely affect the health, safety, or welfare of residents, or the residents’ rights under Minnesota Statutes, chapter 144G, including the assisted living bill of rights; and

G. a signed statement attesting to the accuracy of the facts asserted in the variance request; and

H. the name, address, and contact information of any person or entity the license applicant or licensee knows would be adversely affected by granting the variance, including prospective residents, residents, and their representatives.

The commissioner may require additional information from the license applicant or licensee before acting on the request.

Subp. 1a. Notice. The commissioner shall make reasonable efforts to ensure that persons or entities who may be affected by the variance have timely notice of the variance request, including affected prospective residents, residents, and their representatives. In addition, the agency shall notify the ombudsman of all variance requests. The commissioner may require the license applicant or licensee requesting the variance to serve notice on the persons or entities entitled to notice under this subpart.

Subp. 2. Criteria for evaluation. The decision to grant or deny a variance or variance renewal request must be based on the department’s evaluation of the following criteria:

Subp. 3. Duration and conditions. The commissioner may limit the duration of any variance. The commissioner may impose conditions on granting a variance that the commissioner considers necessary to protect public health, safety, or the environment. A variance has prospective effect only. The commissioner may not grant a variance from a statute or court order. Conditions attached to the variance are an enforceable part of the rule to which the variance applies.

Subp. 4. Granting a variance Decision and timing. (a) The commissioner must notify the license applicant or licensee and all persons or entities entitled to notice under subpart 1a, in writing, of the commissioner’s decision to grant or deny a variance; and request or variance renewal request, or to revoke a variance. If the variance request or variance renewal request is granted, the notification must specify the period of time for which the variance is effective and the alternative measures or conditions, if any, to be met by the license applicant or licensee. If the commissioner denies, revokes, or refuses to renew a variance, the commissioner must notify the license applicant or licensee, in writing, of the reasons for the decision and the right to appeal the decision under subpart 8.

(b) The commissioner shall grant or deny a variance request or variance renewal request as soon as practicable, and within 60 days of receipt of the completed variance application, unless the license applicant or licensee agrees to a later date. Failure of an agency to act on a request for a variance or variance renewal within 60 days constitutes approval of the variance or variance renewal.

Subp. 7. Denial, revocation, or refusal to renew. The commissioner shall deny, revoke, or refuse to renew a variance if:
Adopted Rules

E. the revocation, denial, or refusal to renew a variance is required by a change in law.

The commissioner must notify the license applicant or licensee in writing of the reasons for the decision to deny, revoke, or refuse to renew a variance and the right to appeal the decision under subpart 8;

Subp. 8. Appeal procedure. A license applicant or licensee may appeal the denial, revocation, or refusal to renew a variance by requesting a hearing from the commissioner. The request must be made in writing to the commissioner and delivered personally or by mail within ten calendar days after the license applicant or licensee receives the notice. If mailed, the request must be postmarked within ten calendar days after the license applicant or licensee receives the notice. The request for hearing must set forth in detail the reasons why the license applicant or licensee contends the decision of the commissioner should be reversed or modified. At the hearing, the applicant or licensee has the burden of proving by a preponderance of the evidence that the variance should be granted or renewed, except in a proceeding challenging the revocation of a variance, where the department has the burden of proving by a preponderance of the evidence that a revocation is appropriate. Hearings under this subpart must be held under the Minnesota Revenue Recapture Act, Minnesota Rules, parts 1400.8505 to 1400.8612, conducted under the Administrative Procedure Act in Minnesota Statutes, chapter 14, and the rules of the Office of Administrative Hearings related to contested case proceedings in parts 1400.5010 to 1400.8400.

Subp. 9. Fees and costs. When requesting a variance under this part, the license applicant or licensee shall pay a fee as provided under Minnesota Statutes, section 14.056, subdivision 2.

4659.0090 UNIFORM CHECKLIST DISCLOSURE OF SERVICES.

Subp. 4. Use of uniform checklist disclosure of services. A facility shall:

A. provide an up-to-date checklist to each prospective resident and each prospective resident's representatives who request information about the facility;

4659.0110 MISSING RESIDENT PLAN.

Subpart 1. Applicability.

B. For purposes of this subpart, a resident is incapable of taking appropriate action for self-preservation under emergency conditions if the resident:

(2) lacks the physical, mental, or cognitive capability to:

(b) initiate and complete the evacuation without requiring more than sporadic assistance from another person, such as help in opening a door or getting into a wheelchair;

4659.0120 PROCEDURES FOR RESIDENT TERMINATION AND DISCHARGE PLANNING.

Subpart 1. Pretermination meeting notice.

A. Before issuing a notice of termination, the facility must schedule a pretermination meeting under Minnesota Statutes, section 144G.52, subdivision 2, and provide written notice of the meeting to the resident and the resident’s representatives at least five business days in advance of the scheduled meeting.

B. The facility must arrange schedule and participate in the pretermination meeting to occur on a day, and make reasonable efforts to ensure that the resident and the resident’s representatives are able to attend the meeting. If an in-person meeting is impractical or impossible, the facility may schedule and participate in a meeting via telephone, video, or other means as provided for emergency relocations under subpart 2. If the resident or the resident’s representatives fail to cooperate in the scheduling of the meeting or fail to appear at a properly noticed meeting, the facility may issue a notice of termination, provided that the facility demonstrates reasonable efforts to ensure the resident’s and the resident’s representatives’ attendance at the meeting and that proper notice was provided to all parties. If the resident or resident’s representatives fail to comply with agreements reached at the pretermination meeting, the facility may proceed with a notice of termination without holding another pretermination meeting, so long as notice of termination is provided at least seven days before the notice is issued.
Adopted Rules

C. For a resident that receives a home and community-based services waiver under Minnesota Statutes, chapter 256S, and Minnesota Statutes, section 256B.49, the facility must provide written notice of the pretermination meeting to the resident’s case manager at least five business days in advance.

D. In addition to the notice requirements under Minnesota Statutes, section 144G.52, subdivision 2, the pretermination meeting written notice under item A must include:

   (4) an explanation that the resident may invite family members, representatives, relevant health professionals, a representative from the Office of Ombudsman for Long-Term Care, and other individuals of the resident’s choosing to participate in the pretermination meeting;

Subp. 2. Emergency relocation notice.

B. If the pretermination meeting is held through telephonic, video, or other electronic format under Minnesota Statutes, section 144G.52, subdivision 2, paragraph (d), the facility must ensure that the resident, the resident’s representative representatives, and any case manager or representative of an ombudsman’s office are able to participate in the pretermination meeting. The facility must make reasonable efforts to ensure that anyone else the resident invites to the meeting is able to participate.

Subp. 4. Summarizing pretermination meeting outcomes. Within 24 hours after the pretermination meeting, the facility must provide the resident and the resident’s representative representatives and case manager, if present at the pretermination meeting, with a written summary of the meeting, including any agreements reached about any accommodation, modification, intervention, or alternative that will be used to avoid terminating the resident’s assisted living contract.

Subp. 5. Providing notice.

C. A facility providing a notice to the ombudsman under Minnesota Statutes, section 144G.52, subdivision 7, paragraph (a), must provide the notice as soon as practicable, but in any event no later than two business days after the facility provided notice to the resident. The notice must include a phone number for the resident, or, if the resident does not have a phone number, the phone number of the resident’s representative representatives or case manager.

Subp. 7. Resident-relocation plan.

A. If the facility terminates the resident’s contract or the resident plans to move out of the facility because the facility has initiated the pretermination or termination process, the facility must hold a planning conference to and develop a written relocation plan with the resident, the resident’s representative representatives and case manager, if any, and other individuals invited by the resident.

Subp. 9. Resident discharge summary. At the time of discharge, the facility must provide the resident, and, with the resident’s consent, the resident’s representatives and case manager, with a written discharge summary that includes:

D. a postdischarge care plan that is developed with the resident and, with the resident’s consent, the resident’s representatives, which will help the resident adjust to a new living environment. The postdischarge care plan must indicate where the resident plans to reside, any arrangements that have been made for the resident’s follow-up care, and any postdischarge medical and nonmedical services the resident will need.

Subp. 10. Services pending appeal. If the resident needs additional services during a pending termination appeal, the facility must contact and inform the resident’s representative representatives and case manager, if any, of the resident’s responsibility to contract and ensure payment for those services according to Minnesota Statutes, section 144G.54, subdivision 6.

4659.0130 CONDITIONS FOR PLANNED CLOSURES.

Subpart 1. Planned closure; notifying commissioner and ombudsman.

A. Before voluntarily closing, a facility must submit to the commissioner, the Office of Ombudsman for Mental Health and Developmental Disabilities, and the Office of the Ombudsman for Long Term Care the following in writing:

   (2) the name and contact information of another individual, in addition to the facility director, for a facility staff person who is responsible for the daily operation and management of managing the facility during the facility’s closure process.
Adopted Rules

C. A licensee must comply with the requirements of this part when the licensee decides to not renew
the assisted living contracts of all of its residents.

Subp. 2. Proposed closure plan; contents. A facility’s proposed closure plan must include:

D. for those residents identified under item C:

(4) the names and contact information for those residents who do not have a representative or case manager
but who the facility has reason to believe may have diminished cognitive capacity;

G. policies and procedures for ongoing operations and management of the facility during the closure process that
ensure:

(6) residents’ personal funds are accounted for, maintained, and reported to the resident and
resident’s representative during the closure process; and

Subp. 4. Notice to residents. The licensee shall provide the same written notice of the closure to each resident and the
resident’s representatives and case manager that was submitted in subpart 1 and approved by the commissioner. The
notice must include contact information for the Office of the Ombudsman for Long Term Care, the Office of
Ombudsman for Mental Health and Developmental Disabilities, and a primary facility contact that the resident and the
resident’s representatives and case manager can contact to discuss relocating the resident out of the facility due to the
planned closure.

Subp. 6. Resident-relocation plan.

A. The facility must hold a planning conference and develop a written resident-relocation plan with each
resident and the resident’s representative representatives, case manager, and other individuals invited by the resident to
the planning conference.

Subp. 7. Resident-relocation verification. Within 14 calendar days of all residents having left the facility, the
licensee, based on information provided by the resident or resident’s representative representatives, case manager, or
family members, shall notify the commissioner in writing that the licensee completed the closure and verify to
the commissioner that the licensee complied with the coordinated move requirements in Minnesota Statutes, section
144G.55.

4659.0140 INITIAL ASSESSMENTS AND CONTINUING ASSESSMENTS.

Subpart 1. Admissions.

B. Unless otherwise provided by law, an assisted living facility must not admit or retain a resident unless it can
provide sufficient care and supervision to meet the resident’s needs, based on the resident’s known physical,
mental, cognitive, or behavioral condition. The facility is in compliance with this provision if the resident has voluntarily
elected to receive care and supervision for the resident’s needs through the use of an unaffiliated service provider as
permitted under Minnesota Statutes, section 144G.50, subdivision 2, paragraph (e), clause (4).

Subp. 3. Individualized review.

A. An individualized review or subsequent review under Minnesota Statutes, section 144G.70, subdivision
2, paragraphs (e) and paragraph (d), must be conducted for a prospective resident or resident receiving only the assisted
living services identified in Minnesota Statutes, section 144G.08, subdivision 9, clauses (1) to (5).

B. An individualized initial review or review under Minnesota Statutes, section 144G.70, subdivision 2,
paragraph (d), for a prospective resident or resident must:

(4) be in writing, dated, and signed by the registered nurse who conducted the assessment individualized
review.
Adopted Rules

Subp. 4. Assessor; qualifications.

A. A registered nurse shall complete nursing assessments and reassessments required under Minnesota Statutes, section 144G.70, subdivision 2, paragraphs (b) and (c). Ongoing monitoring may be completed by other licensed nurses acting within the scope of their licenses under Minnesota Statutes, section 148.171.

Subp. 6. Consumer protections under temporary service plan. An individual who is admitted to an assisted living facility under a temporary service plan under Minnesota Statutes, section 144G.70, subdivision 3, and has not executed an assisted living contract shall receive the same consumer protections and rights under Minnesota Statutes, chapter 144G, provided to a resident who has executed an assisted living contract.

Subp. 7. Weekend assessments. An assisted living facility must be able to conduct a nursing assessment during the on a holiday or on a weekend for a resident who is ready to be discharged from the hospital and return to the facility.

4659.0150 UNIFORM ASSESSMENT TOOL.

Subpart 1. Definition. For purposes of this part “Uniform Assessment Tool” means an assessment tool that meets the requirements of this part and is used by a licensee to comprehensively evaluate a resident’s or prospective resident’s physical, mental, and cognitive needs.

Subpart 2. Assessment tool elements. Each facility must develop a uniform assessment tool. The facility may use any acceptable form or format for the tool, such as an online or a hard-copy paper assessment tool, as long as the tool includes the elements identified in this subpart. A uniform assessment tool must address the following:

C. independent instrumental activities of daily living, including:

4659.0160 RELINQUISHING AN ASSISTED LIVING FACILITY WITH DEMENTIA CARE LICENSE.

Subp. 3. Notice to residents.

A. Along with the notice to residents required under Minnesota Statutes, section 144G.80, subdivision 3, the facility shall:

(2) provide a primary facility contact that the resident and the resident’s representative representatives and case manager, if any, can contact to discuss transitioning the resident out of the facility,

Subp. 5. Resident-relocation plan. For each resident identified in subpart 2, item D, whose contract the facility terminates, the facility must hold a planning conference to and develop a written relocation plan and comply with part 4659.0120, subpart 7.

Subp. 6. Verifying resident relocation. Within 14 calendar days of all residents identified in subpart 2, item D, whose contracts the facility terminates, having left the facility, the licensee, based on information provided by each resident or resident’s representative representatives, case manager, or family member, shall verify to the commissioner in writing that the residents are safely relocated according to this part and the coordinated move requirements in Minnesota Statutes, section 144G.55.

4659.0170 DISEASE PREVENTION AND INFECTION CONTROL.

Subpart 1. Communicable diseases. Assisted living facilities must follow state requirements for reporting of communicable diseases under parts 4605.7040, 4605.7044, 4605.7050, 4605.7075, 4605.7080, and 4605.7090.

Subpart 2. Infection control program. The facility’s infection control program required under Minnesota Statutes, section 144G.41, must be consistent with current guidelines for infection prevention and control for long-term care facilities from the national Centers for Disease Control and Prevention and comply with accepted health care, medical, and nursing standards for infection control.
Adopted Rules

4659.0180 STAFFING.

Subp. 4. Daily staffing schedule.

B. The daily work schedule in item A must be posted, after redacting direct-care staff members’ resident assignments, at the beginning of each work shift in a central location on each floor of the in each building of a facility or campus, accessible to staff, residents, volunteers, and the public. The facility shall not disclose any information that is protected by law from public disclosure.

Subp. 5. Direct-care staff availability. A minimum of two direct-care staff must be scheduled and available to assist at all times whenever a resident requires the assistance of two direct-care staff for scheduled reasonably foreseeable and unscheduled needs, as reflected in the resident’s assessments and service plan.

Subp. 6. Direct-care staff availability; night supervision. During the hours of 10:00 p.m. to 6:00 a.m., direct-care staff shall respond to a resident’s request for assistance with health or safety needs as soon as possible, but no later than ten minutes after the request is made, within a reasonable amount of time as provided in Minnesota Statutes, section 144G.41, subdivision 1, clause (12), item (ii).

4659.0190 TRAINING REQUIREMENTS.

Subp. 3. Additional training requirements for assisted living facilities with dementia care licenses.

B. A facility with an assisted living facility with dementia care license is responsible for ensuring and maintaining documentation that individuals providing or overseeing staff training relating to dementia and dementia care have the work experience and training required under Minnesota Statutes, section 144G.83, subdivision 3, and have successfully passed a skills competency or knowledge test required by the commissioner before the individual provides or oversees staff training. The commissioner must publish and update as needed a list of acceptable skills competency or knowledge tests on the department’s website that are based on current best practice standards in the field of dementia care and meet requirements of Minnesota Statutes, section 144G.83, subdivision 3, clause (3)(2).

Subp. 6. Training records and certificate documentation.

A. The facility must maintain a record of staff training and competency required under this part and Minnesota Statutes, chapter 144G, that documents the following information for each competency evaluation, training, retraining, and orientation topic:

(5) name and title of the staff person completing the training, and the staff person’s signature with a statement attesting that the staff person successfully completed the training as described on the certificate in the training documentation.

B. A copy of the certificate of Documentation of the completed competency evaluation, training, retraining, or orientation must be provided to the employee at the time the evaluation or training is completed.

4659.0200 NONRENEWAL OF HOUSING, REDUCTION IN SERVICES; REQUIRED NOTICES.

Subpart 1. Relocation requirements for nonrenewal of housing and reduction in services. A facility that decides not to renew a resident’s housing under Minnesota Statutes, section 144G.53, paragraph (a), or that reduces a resident’s services to the extent that the resident is required to move under Minnesota Statutes, section 144G.55, subdivision 1, paragraph (a), must comply with part 4659.0120, subparts 6 to 9.

Subp. 2. Service reduction notice.

B. The notice under item A must include:

(4) the reasons that the facility, resident, resident’s representative representatives, or case manager has provided for why the reduction in services will require the resident to move.
Adopted Rules

4659.0210 TERMINATION APPEALS; PROCEDURES AND TIMELINES FOR APPEALS.

Subp. 2. Contact commissioner to start appeal. Within the timelines stated in subpart 1, the resident or a representative acting on the resident's behalf shall contact the department in writing to request an appeal of the termination. The request shall be made in writing and submitted by mail to the department. The failure of a resident to request a hearing within the provided timelines constitutes a waiver of the right to a hearing.

Subp. 3. Hearing process.

A. Hearings under Minnesota Statutes, section 144G.54, shall be held according to the Minnesota Revenue Recapture Act, parts 1400.8505 to 1400.8612 conducted in an expedited process, with a hearing held as soon as practicable, but in no event later than 14 calendar days after the Office of Administrative Hearings receives the request for hearing, unless the chief administrative law judge determines, under Minnesota Statutes, section 144G.54, subdivision 3, paragraph (c), that the hearing should be a formal contested case proceeding conducted under parts 1400.5010 to 1400.8400 and Minnesota Statutes, chapter 14.

C. If the resident is unable to provide self-representation at the hearing or wishes to have a representative present on the resident's behalf, a representative of the resident's choosing may present the resident's appeal to the administrative law judge on the resident's behalf.

Subp. 4. Order of commissioner. If a hearing has been held, the commissioner may issue a final order within 14 calendar days after receipt of the recommendation of the administrative law judge. The parties may, within the first seven of those 14 calendar days, submit additional written argument to the commissioner on the recommendation and the commissioner will consider the written arguments. If the commissioner does not issue a final order within 14 calendar days after receipt of the recommendation, the recommendation of the administrative law judge constitutes the final order. Final orders may be appealed in the manner provided in Minnesota Statutes, sections 14.63 to 14.69.
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
Executive Order 21-25: Protecting Minnesotans from “Conversion Therapy”

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 Minnesota Constitution explains that “Government is instituted for the security, benefit and protection of the people.” Our State recognizes the importance of providing appropriate and effective medically necessary and science-based services to safely meet Minnesotans’ medical needs. Our State embodies the core values of One Minnesota when all Minnesotans are accepted, cared for, and protected from unsafe and discredited medical practices.

So-called “conversion therapy,” sometimes known as “reparative therapy,” is a range of dangerous and discredited practices that falsely claim to change a person’s sexual orientation, gender identity, or gender expression. The scientific, medical, and education communities overwhelmingly reject conversion therapy because it lacks scientific validation, poses dangerous health risks to the individuals and communities involved, and contributes to health and social inequities.

Numerous health organizations—including the American Psychiatric Association, the American Medical Association, the American Psychological Association, the American Academy of Pediatrics, the American Association for Marriage and Family Therapy, the American Academy of Physician Assistants, the American Association of Sexuality Educators, Counselors, and Therapists, the American College of Physicians, the American Counseling Association, the American Osteopathic Association, the American Psychoanalytic Association, the Pan American Health Organization, the Minnesota Medical Association, and the Minnesota Psychological Association—have repeatedly voiced their opposition to these practices.

A multitude of professional education organizations—including the National Education Association, the American Federation of Teachers, the American Association of School Administrators, the American School Counselor Association, the American School Health Association, the National Association of School Psychologists, and the National Association of Secondary School Principals—have also denounced conversion therapy for the harm it causes to children’s mental health.

On February 13, 2019, the Minnesota House Health and Human Services Policy Committee held a hearing where Minnesotans testified to the trauma caused by their own childhood experiences with conversion therapy. In addition, the cities of Bloomington, Duluth, Golden Valley, Minneapolis, St. Louis Park, St. Paul, Red Wing, Robbinsdale, Rochester, West St. Paul, and Winona have held their own hearings and received similar testimony before taking action against conversion therapy in their jurisdictions. This testimony shows the harm inflicted by conversion therapy practices in Minnesota.

Conversion therapy is especially concerning when used on minors and vulnerable adults. Our State strives to protect all Minnesotans, especially those whose ability to self-determine medical treatment is curtailed by existing law.

Our State recognizes that discrimination based on sex, sexual orientation, gender identity, and other protected class statuses threatens the rights and privileges of all Minnesotans and menaces the institutions and foundations of democracy. The opportunity to be free from discrimination is each Minnesotan’s civil right and is guaranteed by the Minnesota Human Rights Act (“MHRA”). Under the MHRA, discrimination based on sex, sexual orientation, gender identity, and other protected class statuses is prohibited.
Executive Orders

On November 24, 2015, the Minnesota Department of Health (“MDH”) and the Minnesota Department of Commerce (“Commerce”) issued Administrative Bulletin 2015-5 which “advise[d] entities delivering or issuing individual and group health insurance policies in Minnesota that discrimination against an individual because of the individual’s gender identity or expression is prohibited. This prohibition extends to the availability of health insurance coverage and the provision of health insurance benefits.”

Today the State of Minnesota joins with the cities of Bloomington, Duluth, Golden Valley, Minneapolis, St. Louis Park, St. Paul, Red Wing, Robbinsdale, Rochester, West St. Paul, Winona, 23 other states, the District of Columbia, Puerto Rico, and a growing number of municipalities across the country that have taken action against conversion therapy. We stand with the scientific, medical, and education communities, and we affirm the broad public and private consensus rejecting conversion therapy.

For these reasons, I order that:

1. All state agencies must pursue opportunities and coordinate with each other to protect Minnesotans, particularly minors and vulnerable adults, from conversion therapy to the fullest extent of their authority.

2. Definitions. For the purposes of this Executive Order, the terms below are defined as follows:

   a. “Conversion therapy” refers to any practice by a mental health practitioner or mental health professional that seeks to change a person’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward people regardless of gender. Conversion therapy does not include counseling that provides assistance to a person undergoing gender transition. It also does not include counseling that provides acceptance, support, and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling does not seek to change the person’s sexual orientation or gender identity.

   b. “Mental health practitioner” or “mental health professional” includes, but is not limited to, a person as defined in Minnesota Statutes 2020, section 245.462 subdivisions 17 and 18.

   c. “Vulnerable adult” means a person as defined in Minnesota Statutes 2020, section 626.5572, subdivision 21.

   d. “Minor” means any person under the age of 18.

   e. “State agencies” means the departments and agencies listed in Minnesota Statutes 2020, section 15.06, subdivision 1, and the Office of Higher Education and the Department of Military Affairs.

3. By January 1, 2022, MDH and Commerce will update and revise the joint MDH and Commerce Administrative Bulletin 2015-5 consistent with this Executive Order to reflect the health professional consensus that conversion therapy is a harmful practice that lacks evidence to support its use as a therapeutic intervention.

4. By March 1, 2022, MDH, Commerce, the Minnesota Department of Human Services (“DHS”), and the Minnesota Department of Human Rights (“MDHR”) will issue a joint administrative bulletin, based on their direct statutory authority, to health plan companies regarding the prevention of conversion therapy for minors and vulnerable adults.

5. MDH will use its powers, authorities, and duties to the fullest extent possible to take all appropriate actions to protect Minnesotans from conversion therapy, including:

   a. By April 1, 2022, preparing and presenting a report to the Governor, Lieutenant Governor, and
Legislature summarizing the literature on the scientific evidence about the safety and effectiveness of conversion therapy and its public health effects, and approaches that other jurisdictions have taken to enforcing prevention of conversion therapy for minors and vulnerable adults.

b. Pursuant to its authority under Minnesota Statutes 2020, Chapter 62D, and by May 1, 2022, requesting attestations from health maintenance organizations, county-based purchasing organizations, and any other health carrier or health plan under its jurisdiction, that they are not covering conversion therapy services.

c. Investigating and taking administrative action to prohibit any unfair or deceptive act or practice, by a health maintenance organization, related to conversion therapy, in accordance with Minnesota Statutes 2020, sections 62D.12, subdivision 1 and 72A.19.

d. To the extent permissible under existing law, accepting health maintenance organizations’ determinations that conversion therapy is experimental, investigative, and unproven pursuant to Minnesota Rules 2020, part 4685.0100, subpart 6a and therefore not a comprehensive health maintenance service and a permissible exclusion under Minnesota Rules 2020, part 4685.0700, subpart 4.

e. To the extent necessary and permissible under existing law and pursuant to its authority under Minnesota Statutes 2020, Chapter 62D, engaging in rulemaking under Minnesota Statutes 2020, Chapter 14, to restrict health maintenance organization coverage of conversion therapy.

f. To the extent permissible under existing law and pursuant to its authority under Minnesota Statutes 2020, section 62D.04, refusing to approve any health maintenance organization contract or evidence of coverage that discriminates against individuals, including on the basis of sex, sexual orientation, and gender identity, consistent with the updated Administrative Bulletin 2015-5, referenced in paragraph 3 of this Executive Order.

6. Commerce will use its powers, authorities, and duties to the fullest extent possible to take all appropriate actions to protect Minnesotans from conversion therapy, including:

a. Pursuant to its authority under Minnesota Statutes 2020, section 60A.03, subdivision 2, and section 62A.02, and by May 1, 2022, requesting attestation from health plan companies that they are not covering conversion therapy services.

b. Investigating and taking administrative action to prohibit any unfair or deceptive act or practice, in the business of insurance, related to conversion therapy, in accordance with Minnesota Statutes 2020, section 72A.19.

c. To the extent necessary and permissible under existing law and pursuant to its authority under Minnesota Statutes 2020, Chapter 72A, engaging in rulemaking under Minnesota Statutes 2020, Chapter 14, to restrict health plan coverage of conversion therapy.

d. To the extent necessary and permissible under existing law, exercising its statutory authority to engage in rulemaking under Minnesota Statutes 2020, Chapter 14, to clarify that conversion therapy is not “medically necessary care” under Minnesota Statutes 2020, section 62Q.53.

e. To the extent permissible under existing law and pursuant to its authority under Minnesota Statutes 2020, sections 62A.02 and 72A.21, refusing to approve any health plan that discriminates against individuals, including on the basis of sex, sexual orientation, and gender identity, in accordance with Minnesota Statutes 2020, sections 62A.02 and 72A.21, and consistent with the updated Administrative Bulletin 2015-5, as referenced in paragraph 3 of this Executive Order.

7. DHS will use its powers, authorities, and duties to the fullest extent possible to take all appropriate actions to
Executive Orders

protect Minnesotans from conversion therapy, including:

a. By March 1, 2022, updating the Minnesota Health Care Programs (“MHCP”) Provider Manual to clarify that conversion therapy is not a medically necessary health service and is not eligible for reimbursement by MHCP under Minnesota Rules 2020, part 9505.0210.

b. Recouping improper payments made for conversion therapy services provided after March 1, 2022, identified through investigation and post-payment review and pursuant to its authority under Minnesota Statutes 2020, section 256B.064 and Minnesota Rules 2020, part 9505.2215.

8. MDHR will use its powers, authorities, and duties to the fullest extent possible to take all appropriate actions to protect Minnesotans from conversion therapy, including investigating charges and pursuing civil relief when the Commissioner has reason to believe that a mental health practitioner or mental health professional is engaging in unfair discriminatory practices, to the extent permissible under existing law and in accordance with Minnesota Statutes 2020, Chapter 363A.

9. Nothing in this Executive Order shall be construed to permit health plans, health maintenance organizations, mental health practitioners or mental health professionals to limit or restrict access to health care insurance or services in violation of the non-discrimination requirements of Minnesota Statutes 2020, Chapter 363A.

10. Responsible state boards and commissions, including but not limited to the Board of Behavioral Health and Therapy, the Board of Marriage and Family Therapy, the Board of Medical Practice, the Board of Psychology, the Board of Nursing, the Board of Social Work, the State Advisory Council on Mental Health, and the Subcommittee on Children’s Mental Health, are strongly encouraged to evaluate conversion therapy practices in light of the overwhelming scientific consensus rejecting these practices and, to the extent necessary and permissible under existing law, develop rules prohibiting conversion therapy use by licensees.

This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2020, section 4.035, subdivision 3.

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 15, 2021.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State
Official Notices

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

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

Minnesota Department of Agriculture (MDA)
Agricultural Chemical Response & Reimbursement Account (ACRRA)
Notice of Public Hearing to Disclose Future ACRRA Surcharges

Pursuant to Minnesota Statute Chapter 18E.03 Subd. 3, the MDA, in providing administrative support to the Agricultural Chemical Response Compensation Board (ACRRA Board), has determined that the amount of the annual response and reimbursement fees (surcharge revenues) for the ACRRA must be increased in order to maintain the statutorily required ACRRA balance.

NOTICE IS HEREBY GIVEN that the public hearing will be held on July 29th, 2021 immediately following the regularly scheduled 9:30am ACRRA Board meeting. The meeting will be held virtually on Webex. The information to connect to the meeting can be found on the MDA website at www.mda.state.mn.us/acrra.

Prior to the meeting, written comments may be sent to: Jennie.Andryski@state.mn.us

Department of Employment and Economic Development (DEED)
Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (“DEED”) will conduct a public hearing on Friday, July 30, 2021 at 1:00 p.m., or as soon thereafter as reasonably possible at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota 55101, on a proposal to provide funding through the Minnesota Job Creation Fund Program pursuant to authority granted under Minnesota Statutes 116J.8748 and Minnesota Rules Chapter 4301. This hearing is conducted in accordance with Minnesota Statutes 116J.994, Subd. 5.

Description of Project and Proposed JCF Funding:

Huber Engineered Woods, Inc. (HEW) may expand at 27106 State Hwy 6, Cohasset (Itasca County), Minnesota. HEW is wholly owned subsidiary of J.M. Huber Corporation and is a recognized leader in specialty engineered woods and high-performance building envelope solutions in the US for OEM Customers. The company is considering increasing their manufacturing capacity for OSB (Oriented Stranded Board). The company is looking to construct a new facility with approximately 800,000 square feet and require approximately 400 acres. The total project is $439,300,000 of which at least $174,400,000 would be eligible for the capital investment rebate at 7.5% for site development, new construction, utilities, and equipment foundation. The company did note non-eligible expenses in the form of purchasing machinery and equipment and other related costs related to engineering and consulting fees, which total $264,900,000. The company expects to create 123 jobs within the first three (3) years at an average cash wage of $31.33 per hour. All jobs will qualify for a job creation award and the project also qualifies as a Mega Project. For the current project, the company has also requested a Minnesota Investment Fund loan in the amount of $1,000,000, which may be forgiven if job creation and wage goals are met. Other assistance through state, regional, and local partners is being considered. The project may be eligible for a job creation award of up to $740,000 and a capital investment rebate of up to $1,000,000, depending on final project specifications.
All interested persons may be heard at the time and accommodations set forth above. Persons interested in participating via teleconference should contact Tom Washa, Minnesota Job Creation Fund Program Manager at (651) 259-7483 or Tom.Washa@state.mn.us at least one day prior to the date of the hearing for instructions on how to participate in the conference call.

Interested persons may mail written comments to Tom Washa at the street or e-mail address set forth above. All comments should be mailed with sufficient time to ensure they are received prior to the date of the hearing set forth above. All persons who participate via teleconference will be given an opportunity to express their views with respect to the proposal to award funds from the Minnesota Job Creation Fund.

**Department of Health**

**Division of Health Regulation – Managed Care Systems Section**

**Notice of Application for Essential Community Provider Status**

**NOTICE IS HEREBY GIVEN** that an application for designation as an Essential Community Provider (ECP) has been submitted to the Commissioner of Health by WeARE-The Clinic (Advocates for Reproductive Education). Services are offered at 424 James Street Brainerd, Minnesota 56401.

An ECP is a health care provider that serves high-risk, special needs, and underserved individuals. In order to be designated as an ECP, a provider must demonstrate that it meets the requirements of *Minnesota Statutes* Section 62Q.19 and *Minnesota Rules* Chapter 4688. The public is allowed 30 days from the date of the publication of this notice to submit written comments on the application. The commissioner will approve or deny the application once the comment period and compliance review is complete.

For more information contact:

Patricia Hearth  
Managed Care Systems Section  
Division of Health Regulation  
Minnesota Department of Health  
P.O. Box 64882  
St. Paul, MN 55164-0882  
651-201-5175

**Department of Human Services (DHS)**

**Direct Care and Treatment**

**Public Notices of the Disproportionate Population Adjustment and Proposed/Final Payment Rates for State Operated Treatment Centers**

**NOTICE IS HEREBY GIVEN** to recipients, providers of services under the Medical Assistance (MA) Program, and to the public, of proposed/final changes concerning the disproportionate population adjustment (DPA) and the payment rates for State Operated Treatment Centers under the MA Program. This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish proposed/final payment rates for institutional providers, the methodologies underlying the establishment of such rates, and the justification of such rates.

In conjunction with the current state fiscal year’s budget for State Operated Services, as appropriated by the legislature, payment rates are determined in accordance with *Minnesota Statutes*, §246.50, subdivision 5.

Effective for admissions occurring from August 1, 2021 through June 30, 2021, the inpatient payment rate for the Anoka Metro Regional Treatment Center and the Child and Adolescent Behavioral Health Hospital will be adjusted by 56.50 and 54.40 percent respectively.
The following MA payment rates are based on existing state law and current funded bed capacity and shall be effective August 1, 2021.

**Mental Health Services**

- Anoka-Metro Regional Treatment Center: $1,615
- Child and Adolescent Behavioral Health Hospital: $2,473
- Community Behavioral Health Hospitals: $1,644

Please refer to the Department of Human Services Bulletins for information on rates for Forensic Services and the Minnesota Sex Offender Program.

Questions and comments may be directed to Lynn Glancey, Minnesota Department of Human Services, Direct Care and Treatment Services, 444 Lafayette Road North, St. Paul, MN 55155-0979, Phone (651) 431-3690 or Email: Lynn.Glancey@state.mn.us.

---

**Department of Human Services (DHS)**

**Health Care Administration**

**Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program**

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain changes made to the Medical Assistance (MA) Program.

This notice is published pursuant to Code of Federal Regulations, title 42, part 447, section 205 (42 CFR § 447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

The changes are estimated to affect net spending in the Medical Assistance (MA) programs as described below. All estimates provided in this notice represent the expected change in total expenditures for each individual item from sources including both state and federal funds.

Information related to the implementation of this change will be sent to health care providers through newsletters and updates to the Minnesota Health Care Programs Provider Manual, available at [http://www.dhs.state.mn.us](http://www.dhs.state.mn.us).

The Changes are as follows:

**I. MA Services and Payment Rates**

The state is seeking adjustments to the Resource Based Relative Value Scale (RBRVS) conversion factor to implement the Medicare Relative Value Units (RVUs) for calendar year 2020. The Medicare RVUs are multiplied by the conversion factor used by the state to update rates for professional services. Effective for services provided between March 1, 2020 and January 19, 2021, the proposed RBRVS conversion factors are as follows:

- * Evaluation and Management services $27.87
- * Obstetric services $27.87
- * Psychiatric services $31.53
- * All other physician services $25.66

Effective January 1, 2021, a Federally Qualified Health Center or rural health clinic may be paid the alternative payment methodology in accordance with §1902(bb)(6) of the Social Security Act. Eligible providers shall be reimbursed a single encounter rate for each medical or dental service. If a medical service and a dental service are provided to the
same patient on the same day, the clinic will be reimbursed both the medical and the dental encounter rate.

Effective November 12, 2020, parents of minor children and spouses of beneficiaries may provide home care nursing services in excess of 8 hours per day or 40 hours per week. Spouses and parents may also provide more than 50 percent of the total home care nursing hours authorized for a beneficiary.

For more information or questions about submitting or reviewing comments, please contact the DHS mailbox.

Minnesota Plumbing Board
REQUEST FOR COMMENTS for Possible Amendment to Rules Governing the Minnesota Plumbing Code, Minnesota Rules, chapter 4714; R-04713

Subject of Rules. The Minnesota Plumbing Board (“Board”) requests comments on its possible amendment to rules governing the Minnesota Plumbing Code. On March 22, 2021, the Plumbing Board published a Notice of Adoption of rule amendments, R-04633, that updated the Minnesota Plumbing Code, including incorporating by reference the 2018 Uniform Plumbing Code (“UPC”), with amendments. The adoption of R-04633 amendments will become effective on December 17, 2021 due to the statutory 270-day period between publication of the Notice of Adoption and the effective date per Minn. Stat. section 326B.13, subd. 8. As a result of renumbering in the base model codes, some paragraphs in the base code regarding topics addressed by Minnesota amendments in the Plumbing Code were passively and inadvertently retained in the R-04633 amendments. The Board is considering rule amendments to address the passively and inadvertently retained items so that the rule is consistent with the language vetted and approved by the Board.

Persons Affected. The amendment to the rules is anticipated to be minimal but would likely affect all classes of licensed and registered individuals who perform plumbing work including: plumbing contractors, journeyworkers, master plumbers, restricted master plumbers, restricted journeyworkers, plumber’s apprentices, registered unlicensed individuals, employers of persons who perform plumbing work, persons who wish to perform plumbing work, plumbing inspectors, building officials, engineers, residential and commercial building contractors, and owners.

Statutory Authority. Minnesota Statutes, section 326B.43, authorizes the Board to adopt and amend rules of minimum standards for plumbing. Minnesota Statutes, section 326B.435, authorizes the Board to adopt and amend the Plumbing Code.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the State Register that the Board intends to adopt or to withdraw the rules. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this Request for Comments.


Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Brittany Wysokinski at Minnesota Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, 651.284.5006, dli.rules@state.mn.us.

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

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The Board is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge
reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: July 14, 2021

Rick Jacobs, Chair
Minnesota Plumbing Board

**Department of Transportation (MnDOT)**

**Modal Planning and Program Management Division – Office of Transportation System Management**

**Notice of Public Comment Period for the Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update**

**NOTICE IS HEREBY GIVEN** that the public is invited to review and provide comments through July 22nd on the Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update. The Minnesota State Highway Investment Plan creates a fiscally constrained, performance-based investment direction for the state highway system.

Public engagement is key to ensuring the investment direction reflects Minnesotans’ priorities for investment on the state highway system. The Public Participation Plan outlines how MnDOT plans to connect with the public, stakeholders and partners to update the 20-Year Minnesota State Highway Investment Plan.

The Public Participation Plan can be accessed electronically at [http://www.minnesotago.org](http://www.minnesotago.org). A hard copy is available by mail with written request to the contact shared below.

Written comments will be accepted through July 22nd and should be addressed to:

Josh Pearson
Email: joshua.pearson@state.mn.us
651-366-3773

For more information, contact Josh Pearson at 651-366-3773 or joshua.pearson@state.mn.us, or visit [http://www.minnesotago.org](http://www.minnesotago.org). Follow the planning process on Twitter, @MnDOT, or Facebook, [www.facebook.com/MnDot](http://www.facebook.com/MnDot).
State Grants & Loans

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

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

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity

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

Department of Human Services (DHS)

Disability Services Division

Notice of Request for Proposals to Administer Grants for Implementation of Electronic Visit Verification

The Minnesota Department of Human Services (DHS or State) is requesting proposals to administer grants as a cost-sharing mechanism for providers of personal care services and home health services seeking to connect their existing electronic visit verification (EVV) system(s) to the STATE’s EVV aggregator.

DHS is seeking proposals for the grant period August 10, 2021 through December 31, 2022

For more information contact:

Amanda Tamte
Department of Human Services
Disability Services Division
Phone: (651) 431-4300
dhs.128@state.mn.us

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

To obtain this information in a different format, please email Emily.Waymire@state.mn.us.

Proposals submitted in response to this Request for Proposals (RFP) must be received through the online application portal no later than 4:00 p.m., Central Time, on August 6, 2021. Late proposals will not be considered. Proposed proposals received via other methods will not be considered. We have developed a DSD Online Grant System Guide (PDF) to help applicants navigate the system.

The RFP can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) web site: https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/

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.
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 - $5,000 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](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.

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.

---

Department of Commerce
Division of Energy Resources
Request for Proposals for Technical Support for Evaluating Energy Conservation and Optimization Act Requirements and Cost-Effectiveness Methodologies

The Minnesota Department of Commerce, Division of Energy Resources (Department) seeks proposals from qualified organizations or individuals to provide technical and stakeholder engagement support in two key areas:

1. Assistance implementing statutory changes resulting from the *Energy Conservation and Optimization Act (ECO)*.
2. Updates to the Conservation Improvement Program’s (CIP) cost-effectiveness methodologies

The recently signed ECO legislation contains many changes and updates to CIP, providing utilities with the opportunity to optimize energy use and delivery through the inclusion of load management and efficient fuel switching programs, in combination with Minnesota’s highly successful demand side energy efficiency programs. ECO also raises the energy savings goals for the state’s electric investor-owned utilities (IOUs), more than doubles the low-income spending requirement for all IOUs, and provides greater planning flexibility for consumer-owned utilities (COUs). The selected Responder who is awarded a contract will provide technical guidance to the Department on key ECO components and assist the Department in engaging CIP stakeholders in various stakeholder processes.

Additionally, the selected Responder who is awarded a contract will facilitate meetings with the Department’s
State Contracts

existing CIP cost-effectiveness advisory committee, and will provide technical support to the Department to review and integrate cost-effectiveness methodology updates. Information obtained from this effort will inform recommended updates to the CIP cost-effectiveness methodologies that Minnesota’s utilities will be required to use for evaluation of their CIPs.

A Request for Proposals (RFP) and required forms will be available for download on the Department’s website https://mn.gov/commerce/industries/rfp/.

Proposals must be submitted by no later than Monday, August 9, 2021, 11:59PM (CT). Proposals must be submitted to energy.contracts@state.mn.us. Instructions for submitting proposals are detailed in the RFP. 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.

Department of Employment and Economic Development

State Services for the Blind (SSB)

Request for Proposals for General Liability Insurance Coverage for Business Enterprises Program (BEP) Businesses

The Minnesota Department of Employment and Economic Development, State Services for the Blind (SSB), Request for Proposals for General Liability Insurance coverage for Business Enterprises Program (BEP) businesses.

The Minnesota Department of Employment and Economic Development is seeking proposals for General Liability Insurance coverage targeted to BEP businesses.

The RFP is posted on DEED’s website: https://mn.gov/deed/about/contracts/. Responses must be received no later than 5:00 pm, Central Daylight Time, on July 21, 2021.

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

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.
State Contracts

Minnesota Zoo
Request for Proposals for Market Segmentation Model and Direct Mail Services

PROJECT NAME: Market Segmentation Model and Direct Mail Services

DETAILS: The Minnesota Zoo is soliciting proposals from qualified vendors to develop and execute marketing direct mail services for the Minnesota Zoo’s membership department. The Minnesota Zoo is seeking a collaborative relationship to drive the execution of direct mail campaigns and digital campaigns to understand its current constituent base and potential supporters in order to maintain a solid constituent support system and increase revenue. Distinct goals include advisement on best channels and campaign execution, discussion of list acquisition and priorities, improve yield from all strategies, and capitalize on market potentials for members and donors in identified northwest and western counties of the Twin Cities, while maintaining a certain market penetration in the south metro.

Work is anticipated to start after September 1, 2021

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

Melissa Warhol, Membership Operations
Melissa.warhol@state.mn.us

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received by email not later than 5:00 PM, Central Time, August 9, 2021. Late proposals will not be considered. Faxed or mailed proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.
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 Emergency Services Board (MESB)
Request for Proposals for EMS Leadership Development Program

The Metropolitan Emergency Services Board (MESB) is soliciting proposals from qualified training contractors for a leadership development and mentoring program for emergency medical services (EMS) personnel to enable participants to utilize proven comprehensive leadership systems and solutions to create strong, sustainable, high-performance, and ethically responsible organizations.

To see full Request for Proposals document, go to www.mn-mesb.org. All questions and correspondence should be directed to Jill Rohret, Executive Director, in writing at 2099 University Ave. W., St. Paul, MN 55104, via email at jrohret@mn-mesb.org, or via telephone at (651) 643-8394.

Proposals are due by 4:00 p.m. on Friday, August 13, 2021.