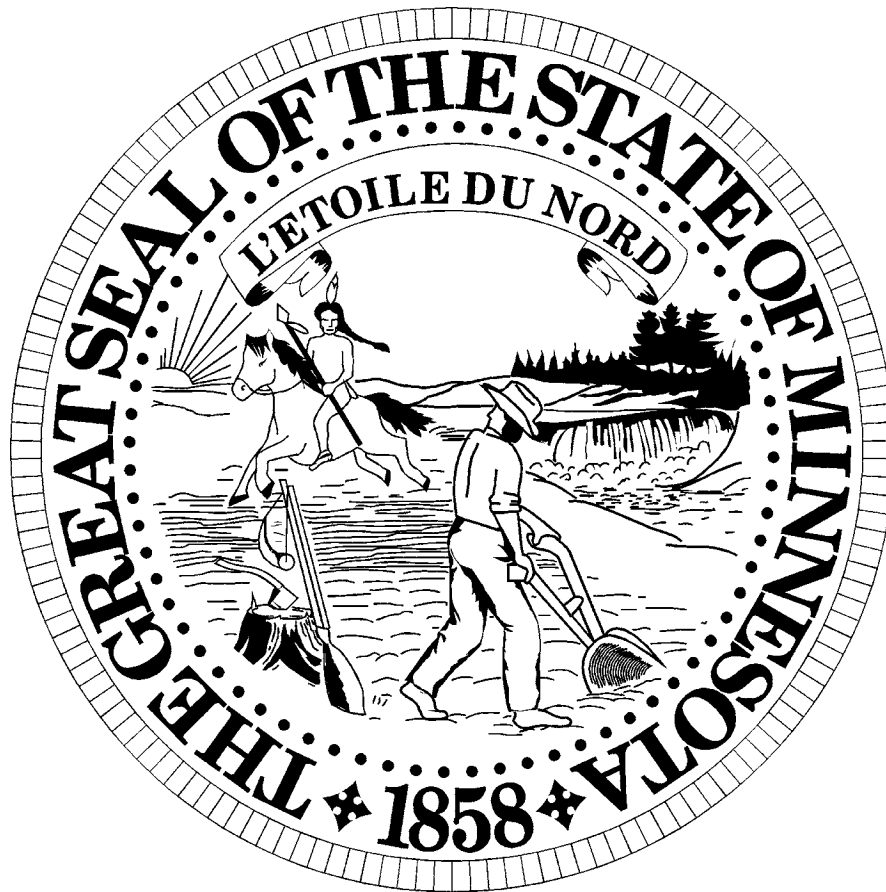


# Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

**Monday 11 September 2023  
Volume 48, Number 11  
Pages 273 - 292**

# Minnesota State Register

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

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

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- Withdrawn Rules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

### Printing Schedule and Submission Deadlines

Vol. 48 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#12	Monday 18 September	Noon Tuesday 12 September	Noon Thursday 7 September
#13	Monday 25 September	Noon Tuesday 19 September	Noon Thursday 14 September
#14	Monday 2 October	Noon Tuesday 26 September	Noon Thursday 21 September
#15	Monday 9 October	Noon Tuesday 3 October	Noon Thursday 28 September

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

THE MINNESOTA STATE REGISTER IS PUBLISHED by the Communications Division, Department of Administration, State of Minnesota, pursuant to Minnesota Statutes § 14.46 and is available on-line at: <https://mn.gov/admin/bookstore/register.jsp>

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**Minnesota State Court System**  
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<https://www.federalregister.gov/>

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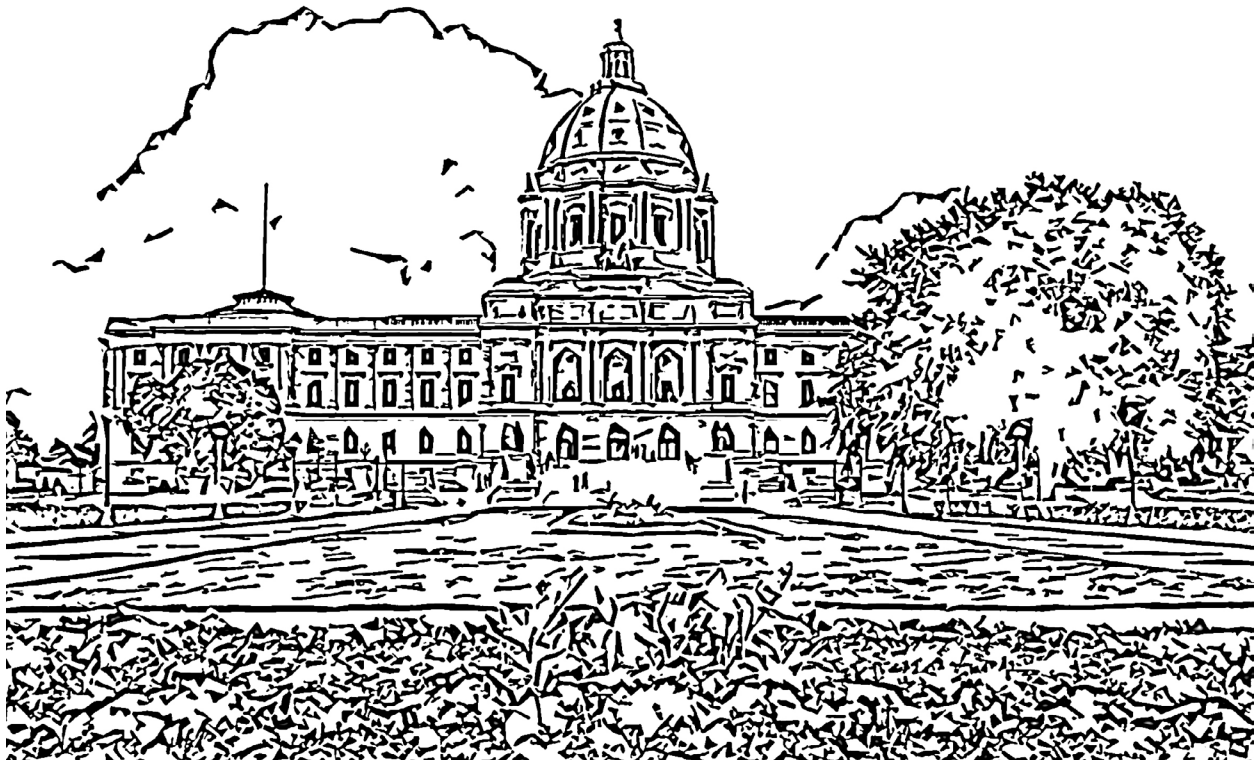
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# Minnesota Rules: Amendments and Additions

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

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 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

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in Vol. 47, #52 - Monday 26 June 2023)

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# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

**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 Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2023 Youth and Adult Special Deer Hunts and Seasons

Notice is hereby given that the above-entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the content of the rules is *Minnesota Statutes*, sections 84.027, subdivision 13; 97B.112; 97B.311.

The following conditions do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459: Youth and adult special deer hunts are subject to adjustment on an annual basis based upon current biological and harvest data. Deer population and harvest data used for setting quotas and determining areas is gathered annually and analyzed each winter. Adjustments to areas and quotas are based on annual and long term population data as well as input from the public.

Dated: June 29, 2023

Sarah Strommen  
Commissioner of Natural Resources

#### 6232.2550 YOUTH AND ADULT SPECIAL DEER HUNTS.

*[For text of subpart 1, see Minnesota Rules]*

##### Subp. 2. **Application requirements.**

A. Applications for youth special hunts must be made according to this part and according to application instructions provided by the commissioner. Applicants for youth firearms special hunts must be at least 12 years old and under age 16 by the beginning hunt date. Applicants for youth archery special hunts must be at least 12 years old and under age 18 by the beginning hunt date. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Group applications are not allowed. If the number of eligible applicants exceeds the quota established by the commissioner, the commissioner shall conduct a drawing to determine eligible participants. Preference for the youth special hunt drawing is given to applicants based on the number of years they have correctly applied for a youth special hunt permit but have been unsuccessful. Upon issuance of a youth special hunt permit, all accumulated preference is lost. The application deadline is the Friday nearest August 17.

B. Adult learn-to-deer-hunt participants are selected on a first-come, first-served basis.

##### Subp. 3. **Restrictions on taking.**

A. In addition to complying with this part, hunters who are hunting under a special deer hunt permit must meet all requirements of the municipality, park, or area in which the special hunt occurs and those of the sponsoring organization.

# Expedited Emergency Rules

Hunt participants must stay within any boundaries prescribed by the hunt sponsor, on maps provided during a prehunt orientation session, or by posting.

B. While participating in a special hunt in a state park, individuals may possess only nontoxic ammunition on their person while taking wild animals, as defined in Minnesota Statutes, section 97A.015, subdivision 47. For purposes of this item, “nontoxic ammunition” means:

(1) steel shot or projectile;

(2) copper-plated, nickel-plated, or zinc-plated steel shot or projectile; or

(3) shot or projectile made of other nontoxic material approved by the director of the United States Fish and Wildlife Service under Code of Federal Regulations, title 50, section 20.21, paragraph (j).

C. A person who carries a pistol and possesses a valid permit under Minnesota Statutes, section 624.714, may possess ammunition that does not meet the requirement of item B but must not use the ammunition to take wild animals.

D. Participants in special hunts that are located inside the shotgun use area described in Minnesota Statutes, section 97B.318, subdivision 1, may possess and use ammunition that does not meet the requirement of item B to take deer if they remove all portions, including entrails, of any deer harvested during the special hunt.

Subp. 4. **Open areas.** The following youth and adult special hunt areas are open by permit in 2023:

A. Camp Ripley Military Refuge in Morrison County is open October 7 and 8 for youth taking antlerless deer and legal bucks by archery. No more than 175 permits shall be issued. The Minnesota State Archery Association is the sponsor. The bag limit is two.

B. Portions of Afton State Park in Washington County are open November 4 and 5 for youth taking antlerless deer and legal bucks by firearms. No more than 30 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

C. Portions of Banning State Park in Pine County are open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than six permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

D. Portions of Blue Mounds State Park in Rock County are open November 18 and 19 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two, and this is an earn-a-buck hunt.

E. Portions of Buffalo River State Park in Clay County are open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two, and this is an earn-a-buck hunt.

F. Portions of Camden State Park in Lyon County are open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two, and this is an earn-a-buck hunt.

G. Portions of the city of Baxter in Crow Wing County are open October 19 through 22 for youth taking antlerless deer and legal bucks by firearms. The number of permits is unlimited. The city of Baxter is the sponsor. The bag limit is five deer.

H. Kilen Woods State Park in Jackson County is open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than six permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is two, and this is an earn-a-buck hunt.

I. Portions of Lake Bemidji State Park in Beltrami County are open October 20 through 22 for youth taking antlerless deer and legal bucks by firearms. No more than 20 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

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# Expedited Emergency Rules

J. Portions of Lake Bronson State Park in Kittson County are open October 14 and 15 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

K. Portions of Lake Shetek State Park in Murray County are open November 18 and 19 for youth taking antlerless deer by firearms. No more than 15 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

L. Portions of Minneopa State Park in Blue Earth and Nicollet Counties are open November 18 and 19 for youth taking either-sex deer by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

M. Rydell National Wildlife Refuge in Polk County is open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than 15 permits shall be issued. The Friends of the Rydell and Glacial Ridge Refuges Association is the sponsor. The bag limit is three.

N. Portions of St. Croix State Park in Pine County are open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than 90 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

O. Portions of Savanna Portage State Park in Aitkin County are open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than 25 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

P. Sibley State Park in Kandiyohi County is open October 28 and 29 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

Q. Portions of Zippel Bay State Park in Lake of the Woods County are open October 20 through 22 for youth taking antlerless deer and legal bucks by firearms. No more than 20 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

R. Portions of St. Croix State Park in Pine County are open October 28 and 29 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than 14 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

S. Portions of Minnesota Valley National Wildlife Refuge in Carver and Scott Counties are open October 14 and 15 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Fish and Wildlife, and the Minnesota Valley National Wildlife Refuge are the sponsors. The bag limit is two.

T. Lake Bemidji State Park in Beltrami County is open October 20 through 22 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is two.

U. Eagle Bluff Environmental Learning Center in Fillmore County is open October 20 through 22 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than five permits shall be issued. Becoming an Outdoors Woman Program and Eagle Bluff Environmental Learning Center are the sponsors. The bag limit is one.

V. Schoolcraft State Park in Itasca County is open October 14 and 15 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than five permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is one.

**EFFECTIVE PERIOD.** The expedited emergency amendments to Minnesota Rules, part 6232.2550, expire December 31, 2023. After the expedited emergency amendments expire, the permanent rules again take effect, subject to any permanent rule amendments that have been adopted in the interim.

# Expedited Emergency Rules

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## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: Taking Sharp-Tailed Grouse and Prairie Chickens

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the content of the rules is *Minnesota Statutes*, sections 84.027, subdivision 13; 97A.434, subdivisions 1 through 4; 97B.605 and 97B.716 subdivisions 1 through 3.

The following conditions do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459: Sharp-tailed grouse and prairie chicken seasons are subject to adjustment on an annual basis based upon current biological and harvest data. Population and harvest data used for setting quotas and areas are gathered annually and analyzed.

Dated: July 11, 2023

Sarah Strommen  
Commissioner of Natural Resources

#### 6234.0300 TAKING SHARP-TAILED GROUSE.

*[For text of subparts 1 and 2, see Minnesota Rules]*

Subp. 2a. **Northwest Zone.** The Northwest Zone for taking sharp-tailed grouse is that portion of the state's open area lying west of the following described boundary line:

Beginning at the intersection of Voyageurs National Park and the northern boundary of the state; thence along the western boundary of the park to the public access to Lake Kabetogama at Gappa's Landing; thence along County Road 523, St. Louis County, to County State-Aid Highway (CSAH) 123, St. Louis County; thence along CSAH 123 to CSAH 122, St. Louis County; thence along CSAH 122 to United States Highway (US) 53; thence along US 53 to State Trunk Highway (STH) 73; thence along STH 73 to the intersection of STH 73 and STH 1.

Subp. 2b. **East-Central Zone.** The East-Central Zone for taking sharp-tailed grouse is that portion of the state's open area that is not included in the Northwest Zone.

Subp. 3. **Open season.** Sharp-tailed grouse may be taken by firearm or bow and arrow from the Saturday on or nearest September 16 to November 30 in the Northwest Zone. Sharp-tailed grouse may not be taken in the East-Central Zone.

#### 6237.0400 TAKING PRAIRIE CHICKENS.

Subpart 1. **Open season and methods.** Prairie chickens may be taken during the five ~~nine~~-day period beginning on the ~~last~~ Saturday nearest ~~October 20~~ in September.

*[For text of subparts 2 and 3, see Minnesota Rules]*

Subp. 4. **Open areas.** Prairie chicken permit areas are open for the prairie chicken season as prescribed by the commissioner. Prairie chicken licenses are valid only in the prairie chicken permit area specified on the license. The following prairie chicken permit areas described in part 6237.0550 are open: 803A, 804A, 805A, 806A, 807A, 808A, 809A, 810A, 811A, 812A, and 813A. A total of 125 licenses will be distributed.

*[For text of subpart 5, see Minnesota Rules]*

#### 6237.0550 PRAIRIE CHICKEN PERMIT AREA DESCRIPTION.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 2. [See repealer.]

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# Expedited Emergency Rules

Subp. 3. **Area 803A.** Prairie chicken permit area 803A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of United States Highway (U.S. US) 59 and State Trunk Highway (STH) 32; thence along U.S. 59 to U.S. 2; thence along U.S. 2 to STH 32; thence along STH 32 Pennington County State-Aid Highway (CSAH) 3; thence along US 59 to US 2; thence along US 2 to US 75; thence along US 75 to Polk CSAH 21; thence along Polk CSAH 21 to Pennington CSAH 3; thence along Pennington CSAH 3 to the point of beginning.

*[For text of subparts 4 to 11, see Minnesota Rules]*

Subp. 12. **Area 812A.** Prairie chicken permit area 812A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and STH 113; thence along STH 113 to United States Highway (US) 59; thence along US 59 to US 10; thence along US 10 to STH 32; thence along STH 32 to the point of beginning.

Subp. 13. **Area 813A.** Prairie chicken permit area 813A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and Polk County State-Aid Highway (CSAH) 1; thence along CSAH 1 to United States Highway (US) 59; thence along US 59 to STH 113; thence along STH 113 to STH 32; thence along STH 32 to the point of beginning.

**REPEALER.** Minnesota Rules, part 6237.0550, subpart 2, is repealed.

**EFFECTIVE PERIOD.** The emergency amendments to Minnesota Rules, parts 6234.0300, 6237.0400, and 6237.0550 expire December 31, 2023. After the emergency amendments expire, the permanent rules again take effect, subject to any permanent rule amendments that have been adopted in the interim.

## Official Notices

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

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

## Minnesota Board on Aging

### Notice of Opportunity to submit application to be designated an Area Agency on Aging

The Minnesota Board on Aging requests applications from organizations to be designated as an Area Agency on Aging (AAA) as defined in the *Older Americans Act*.

Applications may be submitted by:

- Tribal nations or other tribal organizations, to request to be designated as the Minnesota Indian Area Agency on Aging (MIAAA) for the restructured PSA;
- Area Agencies on Aging, to remain the Area Agency on Aging for their PSA; or
- Other organizations, to be designated the Area Agency on Aging for their PSA.

# Official Notices

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To view the current PSAs, visit the *Area Agencies on Aging* page on the MBA website.

To request an application please email [mba.dhs@state.mn.us](mailto:mba.dhs@state.mn.us). Applications will be accepted for a period of 60 days, beginning 8:00am on September 11, 2023, and ending at 4:30pm on October 10, 2023.

Please submit proposals to [mba.dhs@state.mn.us](mailto:mba.dhs@state.mn.us), call 651-431-2500, toll free at 1-800-882-6262 or submit a written request to:

Minnesota Board on Aging  
AAA Application  
P.O. Box 64976  
St. Paul, MN 55164-0976

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

SPA 23-18 makes changes to abortion, family planning, and doula services and rates. The amendment updates outdated state plan language on abortion coverage. In addition to exiting organizations cited in the state plan, the amendment allows doula certification to be achieved from Modern Doula Education or from an organization designated by the Commissioner of Health. Rates for antepartum and postpartum doula services are increased to \$100 per session, rates for doula services provided during labor and delivery are increased to \$1400 per session and family planning service rates are increased by 20% over the rate in effect on December 31, 2023.

These changes are authorized by Minnesota Laws 2023, chapter 70, article 1, section 18, section 19, section, 33, section 37, and section 38. They are expected to have a net fiscal impact of \$1,947,000 in FY 2025 and \$2,206,000 in FY 2026. The effective date of the SPA is January 1, 2024.

The amendment is posted on DHS' website. For more information, please contact Alley Zoellner at (651) 226-7242 or e-mail: [Alexandra.Zoellner@state.mn.us](mailto:Alexandra.Zoellner@state.mn.us).

## State Board of Investment Notice to Institutional Investment Management Firms for consideration to potentially Manage a Portion of the Pension Assets and Other Accounts

The Minnesota State Board of Investment (MSBI) retains institutional investment management firms to manage a portion of the pension assets and other accounts under its control. Periodically, the MSBI will conduct a search for institutional investment management firms on an as needed basis. For additional information on the domestic stock, international stock, or domestic bond portfolio programs for the MSBI, firms are asked to write to the following address for additional information:

External Manager Program  
Minnesota State Board of Investment  
60 Empire Drive, Suite 355  
St. Paul, MN 55103-3555

Tel.: (651) 296-3328  
Fax: (651) 296-9572  
E-mail: [minn.sbi@state.mn.us](mailto:minn.sbi@state.mn.us)

Please refer to this notice in your written request.

## **Minnesota Department of Labor and Industry** **Workers' Compensation Division** **Notice of Adjustment of Threshold For Payment For Catastrophic, High-Cost Injuries** **Under Minnesota Statutes, section 176.1362, subdivision 2**

**Notice is hereby given** that on October 1, 2023, the threshold in Minnesota Statutes, section 176.1362, subdivision 2 (a) is adjusted to \$291,835.

This adjustment is required by Minnesota Statutes, § 176.1362, subd. 2, which states:

1. If the hospital's total usual and customary charges for services, articles, and supplies for a patient's hospitalization exceed a threshold of \$175,000, annually adjusted as provided in paragraph (b), reimbursement must not be based on the MS-DRG system, but must instead be paid at 75 percent of the hospital's usual and customary charges. The threshold amount in effect on the date of discharge determines the applicability of this paragraph.
2. On January 1, 2017, the commissioner must adjust the previous year's threshold by the percent change in average total charges per inpatient case, using data available as of October 1 for non-Critical Access Hospitals from the Health Care Cost Information System maintained by the Department of Health pursuant to chapter 144. Beginning October 1, 2017, and each October 1 thereafter, the commissioner must adjust the previous threshold using the data available as of the preceding July 1. The commissioner must publish notice of the updated threshold in the State Register.

A list of previous threshold amounts is available on the Department of Labor and Industry's website at [www.dli.mn.gov/business/workers-compensation/work-comp-pc-pricer-tool-inpatient-hospital-bills](http://www.dli.mn.gov/business/workers-compensation/work-comp-pc-pricer-tool-inpatient-hospital-bills).

Date: August 30, 2023

Nicole Blissenbach  
Commissioner

## **Minnesota Department of Labor and Industry** **Workers' Compensation Division** **Notice of Annual Adjustment to Workers' Compensation Vocational Rehabilitation Hourly Rates**

1. The commissioner may adjust the maximum hourly rates for rehabilitation services annually on October 1st, but any increase is limited by the annual adjustment for injured employees' weekly benefits under Minnesota Statutes, section 176.645, which is currently three percent a year. Minn. R. 5220.1900, subp. 1b. Effective October 1, 2023, the annual adjustment for injured employees according to the formula in section 176.645 is 3.00 percent.
2. Notice is hereby given that, for services provided on or after October 1, 2023, the maximum hourly rates for workers' compensation vocational rehabilitation services shall be adjusted as follows:

# Official Notices

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1. The maximum hourly rate for qualified rehabilitation consultant (QRC) services, will increase by 3.00 percent to \$122.97; and
2. The maximum hourly rate for job development and placement services will increase by 3.00 percent to \$98.48.

Dated: August 30, 2023

Nicole Blissenbach  
Commissioner

## **Minnesota Department of Labor and Industry Workers' Compensation Division**

### **Notice of availability of Ambulatory Surgical Center addenda under Minnesota Statutes, section 176.1363, subdivision 2**

**Notice is hereby given** that the applicable Ambulatory Surgical Center (ASC) addenda to be used to calculate payment for covered workers' compensation surgical procedures and ancillary services provided by an ASC on or after October 1, 2023, are the July 2023 Addenda AA, BB, and DD1, updated June 29, 2023, of the Medicare Ambulatory Surgical Center Payment System (ASCPS).

The June 29, 2023, Addenda AA, BB, and DD1 are the most recent ASCPS addenda available on Medicare's Web site as of July 1, 2023. Links to these ASCPS addenda, applicable federal regulations, the applicable chapter of the Medicare claims manual, and instructions for calculating payment for workers' compensation services provided by an ASC are available on the Department of Labor and Industry's Web site at [www.dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-ascps](http://www.dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-ascps).

There is no adjustment to the 320 percent multiplier because the conditions of Minnesota Statutes, section 176.1363, subd. 2, paragraph (a) (2) (ii), have not been met.

Dated: August 30, 2023

Nicole Blissenbach  
Commissioner

## **Minnesota Department of Labor and Industry Workers' Compensation Division**

### **Notice of availability of the 2023-2024 Hospital Outpatient Fee Schedule (HOFS), and HOFS conversion factors, under Minnesota Statutes, section 176.1364, subdivision 3**

Notice is hereby given that the Hospital Outpatient Fee Schedule (HOFS) for payment of workers' compensation outpatient hospital bills for services provided from October 1, 2023, through September 30, 2024, is available on the Department of Labor and Industry's (DLI) website at: [www.dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-hofs](http://www.dli.mn.gov/business/workers-compensation/work-comp-medical-fee-schedules-hofs).

The HOFS has two payment rates for each service – one for non-critical access hospitals of 100 or fewer licensed beds and one for hospitals with more than 100 licensed beds. As required by the changes to Minnesota Statutes, §176.1364, subd. 3, in 2023 Minnesota Session Laws, Chapter 51 – H.F. 2988, the commissioner shall adjust the conversion factors calculated under subdivision (3) to result in a three percent reduction in total payments for hospital outpatient services effective October 1, 2023.

For the HOFS in effect for services provided from October 1, 2023 through September 30, 2024, the adjusted conversion factors are \$384.01 for non-critical access hospitals of 100 or fewer licensed beds and \$203.33 for hospitals

with more than 100 licensed beds. The payment rates in the HOFS posted on the Department's website linked above reflect these adjusted conversion factors.

Dated: August 30, 2023

Nicole Blissenbach  
Commissioner

## 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: <https://mn.gov/admin/citizen/grants/>

## Minnesota Department of Agriculture (MDA)

### Pesticide and Fertilizer Management Division

#### Notice of Request for Proposal Developing Markets for Continuous Living Cover

The Minnesota Department of Agriculture (MDA) is requesting proposals for developing markets for continuous living cover. The State Legislature provided funding to the MDA for "grants to organizations in Minnesota to develop enterprises, supply chains, and markets for continuous-living cover crops and cropping systems in the early stages of commercial development. For the purposes of this paragraph, "continuous-living cover crops and cropping systems" refers to agroforestry, perennial biomass, perennial forage, perennial grains, and winter-annual cereal grains and oilseeds that have market value as harvested or grazed commodities." This is a onetime appropriation.

The MDA anticipates awarding \$250,000 using a competitive review process. The minimum award is \$10,000 and the maximum award is \$50,000.

#### Eligible Projects

Projects must aim to develop and accelerate enterprises, supply chains, and markets for CLC crops and cropping systems in the early stage of commercial development in Minnesota. They may not start until the grant contract is signed by all parties and has reached its start date. The projects need to be completed by June 30, 2025. Projects must also be conducted by an organization located in Minnesota and be authorized to conduct business in Minnesota. Projects are limited to one (1) grant per organization.

RFP is available online at [www.mda.state.mn.us/developing-markets-clc-crops](http://www.mda.state.mn.us/developing-markets-clc-crops)

Please direct questions to Jen Schaust at the MDA. All questions should be submitted through writing by email to [Jen.Schaust@state.mn.us](mailto:Jen.Schaust@state.mn.us).

Questions will be accepted until Monday September 25, 2023, at 4:30 p.m. Central Time. Anonymous questions and answers will be posted on the RFP Questions and Answers portion of the Developing Markets for Continuous Living Cover webpage.

Questions should not be submitted through other means. MDA employees are not authorized to provide advice on any applications. Applicants who solicit or receive advice from unauthorized MDA employees may be disqualified from eligibility for a grant award.

# State Grants & Loans

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## **Submission of Proposal Deadline**

Grant applicants are required to submit proposals through the MDA's online application system. Faxed, emailed, or hand delivered proposals will not be considered.

All applications must be received online by 4:30 p.m. Central Time on October 2, 2023. Late applications will not be considered. The MDA is not responsible for any technical or logistical problems resulting in the MDA not receiving the application on time. It is the responsibility of the applicant to ensure that the submission is received by the MDA before the proposal deadline.

This request does not obligate the State to award or complete the work contemplated in this notice. The State reserves the right to cancel this RFP if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responders.

## **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 Contracts and Legal Compliance Division Notice of Changes to Grant Request for Proposal noticing in the State Register for the Department of Human Services**

The Minnesota Department of Human Services (DHS) will no longer publish individual grant RFP notices to the State Register effective March 27, 2023. The RFPs and RFIs can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) website: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>.

The RFPs and RFIs do not obligate the State to complete the work contemplated in the respective notices. The State reserves the right to cancel solicitations. All expenses incurred in responding to the RFPs and RFIs are solely the responsibility of the responder.

## **Minnesota Department of Transportation Office of Civil Rights Request for Proposal: Minnesota Highway Construction Training Program**

MnDOT requests responses from workforce centers, community-based organizations, training institutions, colleges, and trades associations to develop and administer one or more programs in highway construction career development and training.

Responses must be received no later than 2:00 P.M. Central Daylight Time on October 12, 2023. Late responses will not be considered.

To view the RFP go to: <http://www.dot.state.mn.us/civilrights/requests-for-proposals.html>

For more information, visit: [Workforce Training Programs - Civil Rights - MnDOT \(state.mn.us\)](http://www.dot.state.mn.us/workforce-training-programs-civil-rights)

## Minnesota Department of Transportation

### Office of Civil Rights

#### Request for Proposal: Youth Construction Career Exposure

MnDOT requests responses from workforce centers, community-based organizations, training institutions, colleges, and trades associations to develop and administer one or more programs in highway construction career development and training directed towards youth between ages of 14-24.

Responses must be received no later than 2:00 p.m. Central Standard Time on September 28, 2023. Late responses will not be considered.

To view the RFP go to: [https://edocs-public.dot.state.mn.us/edocs\\_public/DMResultSet/download?docId=35115192](https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=35115192)

For more information, visit: [Workforce Training Programs - Civil Rights - MnDOT \(state.mn.us\)](#)

## 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, Office of State Procurement (OSP) Website. Interested vendors are encouraged to monitor the P/T Contract Section of the OSP Website at <https://mn.gov/admin/osp> 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 Office of State Procurement strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised; \$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.

Contact the Office of State Procurement at: (651) 296-2600

## Capitol Area Architectural and Planning Board Requests for Proposals for the Capitol Mall Design Framework

Minnesota's Capitol Area Architectural and Planning Board (CAAPB) <https://mn.gov/caapb/> seeks a consultant team to develop an updated Capitol Mall Design Framework for the Capitol Area in Saint Paul, Minnesota.

The Mall Framework will build upon the 2040 Comprehensive Plan for the Minnesota State Capitol Area and the prior Capitol Mall Redesign Plan (originating in the mid-1980s) to shape, guide, and manage the Minnesota State Capitol campus environment and its physical form. Framework plans calibrate the comprehensive plan's larger organizing principles to a specific area, detailing specific goals for stability, change, and growth.

The primary study area for the Mall Framework is the Capitol campus subdistrict and its integral public streets and right-of ways. Additional limited study is needed for design strategies within the public realm areas surrounding the Capitol Campus and for overall connectivity strategies to surrounding sub-districts in the larger Capitol Area and surrounding neighborhoods of Saint Paul.

Specifically, the goals of the Mall Framework project are to develop a master plan for campus and streets in its immediate context, a Schematic Design that will determine a set of projects for immediate implementation, and guidance

# State Contracts

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for future implementation on public land within the Capitol Area. Strategies that are climate resilient, fiscally responsible, realistically implementable, and operationally sustainable are desired.

CAAPB is looking for consultant teams with specialized knowledge and expertise including, but not limited to: urban design and campus design; landscape architecture design and management, historian/historic resources and preservation; stormwater design and management; wayfinding, mobility, public art; event management; personal safety; media, communication, and public engagement; pre-construction cost estimating; project management and implementation.

The consultant team must include members with professional experience working in Minnesota, who can provide expertise and familiarity with local climate, culture, community and other issues unique to this context.

Strategic, targeted, transparent, and visible engagement efforts will be required to support the development of the Mall Framework.

The contractor will work closely with CAAPB staff, a Technical Advisory Team and submit the work to the CAAPB for approval.

**How to submit a proposal:**

The full request for proposals can be accessed by visiting <https://www.mn.gov/caapb>.

Formal questions about the RFP are due by 5:00 PM on Thursday September 7th, 2023.

All proposals must be received no later than **5:00 PM central time on Thursday, September 21, 2023**.

**Agency Contact:** Peter Musty [peter.musty@state.mn.us](mailto:peter.musty@state.mn.us)

## Minnesota State Colleges and Universities (Minnesota State) Notice of Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for contract opportunities, goods/commodities and related services on its Vendor and Supplier Opportunities website (<https://www.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 email the Minnesota State Procurement Unit at [Sourcing@MinnState.edu](mailto:Sourcing@MinnState.edu).

## Minnesota State Colleges and Universities (Minnesota State) Rochester Community and Technical College Notice of Request For Proposal (RFP) for Flight Training Services

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College is accepting Requests for Proposals for Flight Training Services for an Associate of Applied Science Degree in Aviation Pilot Education.

To receive a copy of the RFP, send an email to [June.meitzner@rctc.edu](mailto:June.meitzner@rctc.edu).

Proposals are due back no later than Friday, October 6th, 2023, 3:00 PM CDT and are to be addressed to June Meitzner, Purchasing Manager, Rochester Community and Technical College 851 30th Ave SE Rochester, MN 55904 Room SS153. Late responses will not be considered.

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

## Department of Public Safety

### Driver and Vehicle Services Division

#### Notice of Request for Submissions for 2024 Ignition Interlock Device Program Certification Process

The Driver and Vehicle Services (DVS) division of the Department of Public Safety (DPS) is requesting submissions from qualified ignition interlock device (IID) manufacturers for the purpose of certification in the Minnesota Ignition Interlock Device Program beginning January 1, 2024, and ending December 31, 2024

All requirements and information and submission delivery instructions are included in a certification packet which is available from:

Barbara Flaherty  
Department of Public Safety; Driver and Vehicle Services  
445 Minnesota Street  
Saint Paul, MN 55101  
Telephone: 651.201.7810  
Email address: *Barbara.Flaherty@state.mn.us*.

Deadline for submission of the required documents is 2:30 p.m. Central Time on Friday, September 29, 2023.

This Request for Submissions does not obligate the State or the Department of Public Safety to certify any ignition interlock device manufacturer; and the State and DPS each reserves the right to cancel this Request. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Transportation (MnDOT)

### Engineering Services Division

#### Notices Regarding Professional/Technical (P/T) Contracting

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

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

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

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

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

# Non-State Public Bids, Contracts & Grants

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

Besides the following listing, readers are advised to check: <https://mn.gov/admin/osp> as well as the Office of Grants Management (OGM) at: <https://mn.gov/admin/citizen/grants/>.

## Lower Minnesota River Watershed District Request for Proposals: 2023 and 2024 Audit Services

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District (LMRWD) hereby solicits proposals from qualified firms of public accounts for annual audit of its 2023 and 2024 financial statements. The audit is to be performed in accordance with the provisions contained in the request for proposal, which can be found on the LMRWD website at:

All proposals must be submitted electronically in PDF format to:

Lower Minnesota River Watershed District  
Attention: Linda Loomis, District Administrator  
112 East Fifth Street, Suite 102  
Chaska, MN 55318  
[naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com)

Proposals shall be submitted on or before 4:00 PM, Friday, September 29, 2023. The LMRWD Board of Managers plans to select an auditor pursuant to this RFP at its October 18, 2023, meeting. Questions should be addressed to District Administrator, Linda Loomis by email before September 19, 2023.

The Board of Managers will review all proposals and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

For further information about the Lower Minnesota River Watershed District, contact Linda Loomis, Administrator at [naiadconsulting@gmail.com](mailto:naiadconsulting@gmail.com) or by telephone at (763) 568-9522, or visit: <http://lowermnriverwd.org/>

## Metropolitan Airports Commission (MAC) Request for Qualifications for DELTA - MSP T1 Modernization Project (AMP)

J.E. Dunn Construction Company, hereafter referred as the **Construction Manager**, is Requesting for Qualifications for the following project described below and requests for your interest on bidding on the project. The following list highlights information associated with the Project that may be helpful in your prequalification process.

**PROJECT NAME:**  
DELTA - MSP T1 Modernization Project (AMP)

# — Non-State Public Bids, Contracts & Grants

## PROJECT DESCRIPTION:

We are currently prequalifying for Phases 1 & 2 on the project. The forthcoming bid packages may include the following scopes but not limited to:

Final Cleaning, Misc. Metals, Equipment Support Systems, Glass and Glazing, Stainless Steel and Column Covers, Joint Sealants, Firestopping, Drywall, Tile and Stone Work, Acoustical and Metal Ceilings, Terrazzo, Flooring, Painting, Quartz Paneling, Fire Protection, Mechanical, Electrical, and Lighting Controls.

## REQUEST FOR QUALIFICATIONS:

1. To be qualified to perform the Work described in the Bidding Documents, the Bidder must submit and/or update the necessary information on Construction Manager's online Subcontractor Management System located at <http://sms.jedunn.com>.
2. When your subcontractor profile is completed and/or updated, please notify Jessica Venegas at JE Dunn Construction to allow for formal review from JE Dunn to determine prequalification status.

## QUESTIONS:

All questions regarding the prequalification process should be directed to the Construction Manager, please contact Jessica Venegas at 952-833-5911 or [jessica.venegas@jedunn.com](mailto:jessica.venegas@jedunn.com).

## Minnesota Sports Facilities Authority (MSFA) Request for Proposals for 2023 Portable Snow Melter Equipment Project

**Location:** U.S. Bank Stadium  
**Project Name:** 2023 Portable Snow Melter Equipment Project  
**Proposals Due:** September 20, 2023, 4:00 P.M.

**Notice to Proposers:** Proposals for the project listed above will be received by the Minnesota Sports Facilities Authority (MSFA) at the office located at 1005 South 4th Street, Minneapolis, Minnesota 55415, until the date and hour indicated. The project scope includes:

### Procurement of :

**Quantity:** 1

**Description:** Portable Snow Melter Equipment System rated for minimum 15 tons/hour melting capacity. System must include the following:

- Diesel Engine
- Stainless steel melting tank
- Built for snow start capability (waterless starting ability). Will consider water fill models
- Cleanout hatch for removal of sediment and debris from melting tank
- Water drainage/removal shall have minimum 20' hose
- Towable by full-size pickup truck
- On-site training
- Operation and Maintenance Manuals

**NOTE:** Additional specification information, drawings, pictures, and other documents for the RFP are available for review on the MSFA's website at: <https://www.msfa.com/project-opportunities.php>

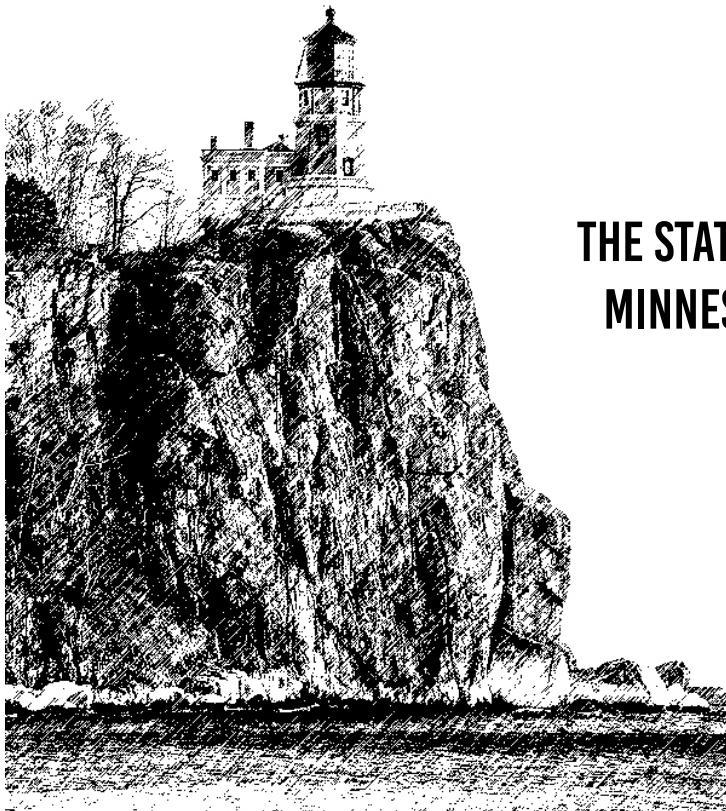
**AFFIRMATIVE ACTION:** All proposers, applicants, prime contractors, and prospective subcontractors will be subject to a pre-award compliance review to ensure the employment of minorities, women, and disabled persons.

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

**QUESTIONS:** Questions concerning this solicitation should be directed to Ed Kroics at ASM Global, email: [ekroics@usbankstadium.com](mailto:ekroics@usbankstadium.com), phone number: #612-777-8700.

*The Minnesota Sports Facilities Authority reserves the right to reject any and all proposals and to waive any informalities in any proposal received without explanation.*

Michael Vekich, Chair  
Minnesota Sports Facilities Authority



**THE STATE REGISTER, BRINGING YOU  
MINNESOTA RULES FOR 48 YEARS  
AND COUNTING.**