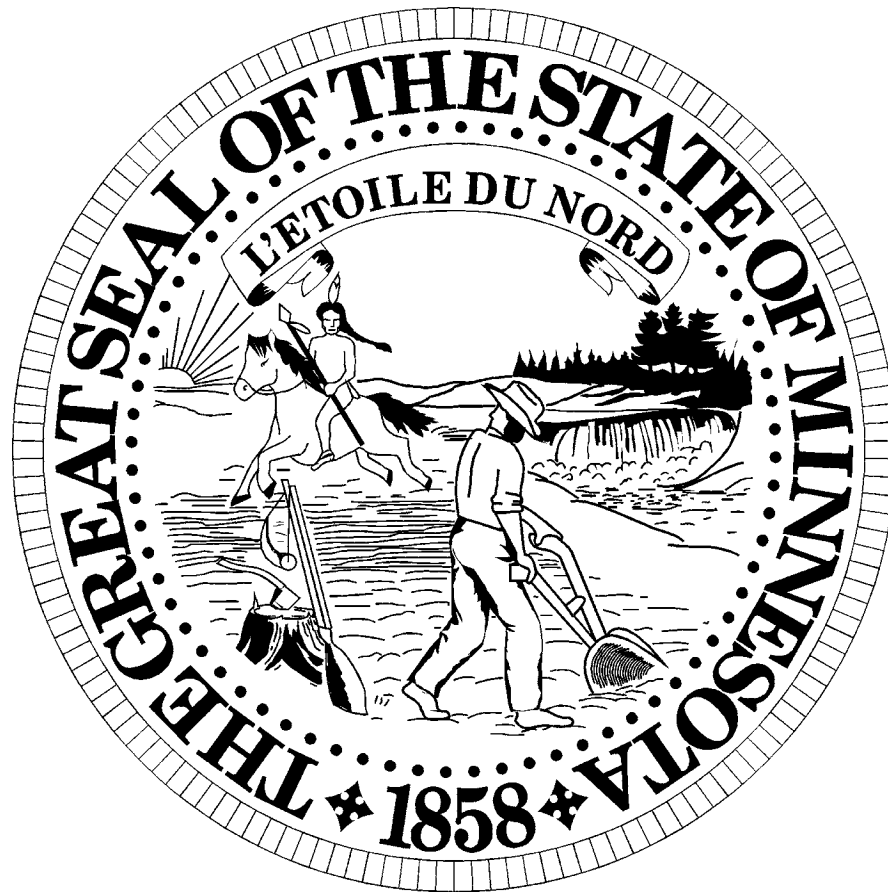


# Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 4 December 2023  
Volume 48, Number 23  
Pages 521 - 538**

# 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- Withdrawn Rules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)
#24	Monday 11 December	Noon Tuesday 5 December	Noon Thursday 30 November
#25	Monday 18 December	Noon Tuesday 12 December	Noon Thursday 7 December
#26	Tuesday 26 December	Noon Tuesday 19 December	Noon Thursday 14 December
#27	Tuesday 2 January	Noon Tuesday 26 December	Noon Thursday 21 December

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## 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  
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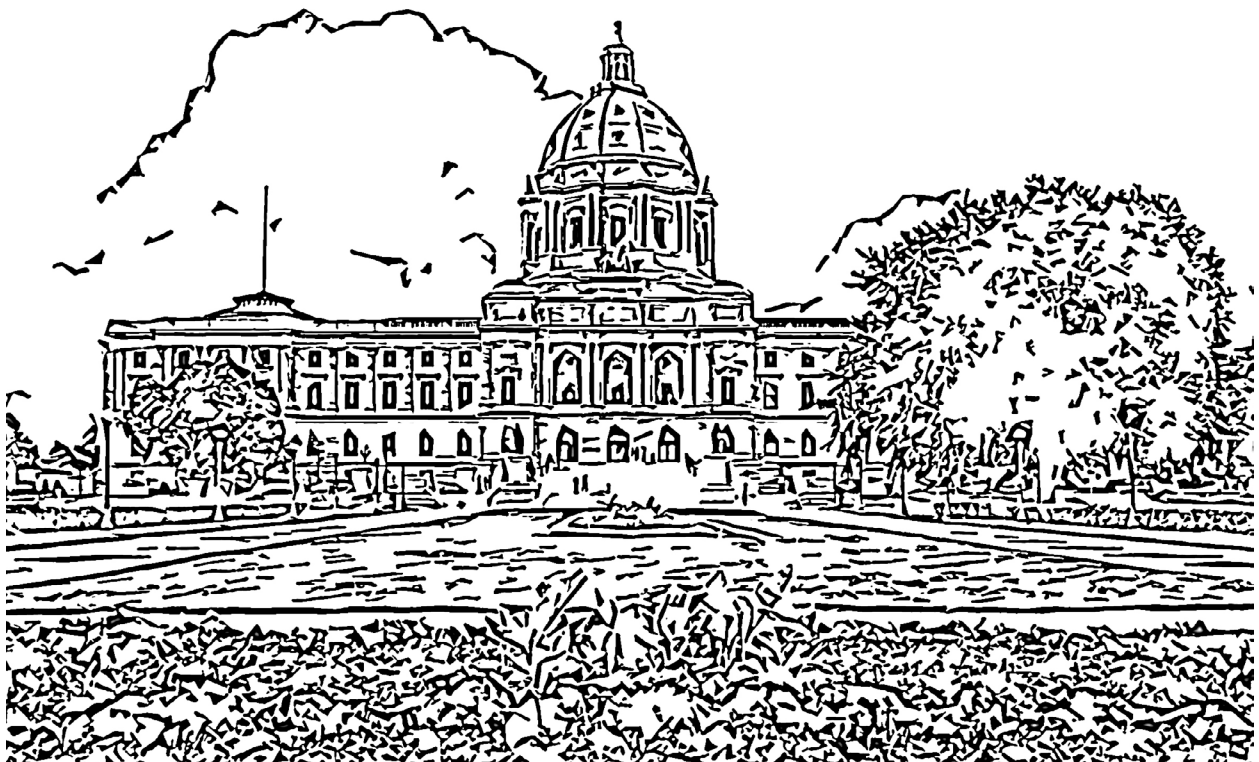
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# Minnesota Rules: Amendments and Additions

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

**Volume 48 - Minnesota Rules**  
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**in Vol. 47, #52 - Monday 26 June 2023)**  
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**Monday 3 July - Monday 4 December**

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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.

## Department of Commerce

### Notice of Public Hearing on Minnesota Joint Underwriting Association Activation to Insure Specified Classes of Business

Pursuant to Minnesota Statutes, section 62I.21, a hearing has been scheduled for January 10, 2024 at 9:30 a.m. before Administrative Law Judge Kimberly Middendorf. The purpose of the hearing is to determine whether the Minnesota Joint Underwriting Association (MJUA) should continue to provide insurance coverage beyond the statutorily provided 180-day period to the following class of business:

- Pedicabs

On February 8, 2023, pursuant to Minnesota Statutes section 62I.21, the Minnesota Department of Commerce activated the MJUA to provide insurance coverage to the above class of business for 180 days following publication of a Notice of Activation in the State Register. Anyone wishing to oppose the MJUA continuing insurance coverage beyond the 180-day period for this class must file a petition to intervene with the Administrative Law Judge at least 10 days before the hearing. Minnesota Statute 62I.22, subd. 2. The petition may be filed by U.S. Mail, facsimile, or licensed overnight express mail service as follows:

Administrative Law Judge Kimberly Middendorf  
Office of Administrative Hearings  
600 N Robert Street  
PO Box 64620  
St. Paul, MN 55164-0620

If no petition to intervene is filed at least 10 days before the hearing, the hearing shall be canceled and the MJUA coverage for this class of business shall automatically be activated beyond the 180-period without further action. Minnesota Statute 62I.22, sub. 2. If a timely petition to intervene is filed, the hearing shall be conducted as a contested case under Minnesota Statute Chapter 14. Id. subd. 3.

Questions regarding this notice may be submitted to the MJUA as follows:

Minnesota Joint Underwriting Association  
12400 Portland Avenue S, Ste 190  
Burnsville, MN 55337  
(952) 641-0263 or [amy@mjua.org](mailto:amy@mjua.org)

Dated: November 29, 2023

# Official Notices

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## Department of Human Services

### 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 statutory changes made to the Medical Assistance (MA) Program that the 2023 Minnesota Legislature enacted during the regular session, and the First Special Session.

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 final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also 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 legislative changes are estimated to result in a net increase of \$173,869,000 in the MA program for state fiscal year 2024 (July 1, 2023 through June 30, 2024), and a net increase of \$555,173,000 in the MA program for state fiscal year 2025 (July 1, 2024 through June 30, 2025).

The actual text of most of the 2023 legislative changes is contained in *Laws of Minnesota 2023*, Chapters 50, 51, 55, 61, and 70. These are available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). These laws are also available on the internet at: <http://www.revisor.leg.state.mn.us>

It is important to note that not all changes made to these programs by the 2023 legislature are mentioned in this notice. In addition, a few changes have already been published. Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to recipients and enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*, available at [https://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id\\_000094](https://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000094). Changes were made to the following program areas:

- I. MA Services and Payment Rates
- II. MA Payment Rates for Institutional Providers
- III. MA Home and Community-Based Services and Payment Rates

#### **I. MA Payment Rates**

Effective January 1, 2024, or upon federal approval, whichever is later, the Opioid Treatment Program Rate Methodology is established. It is equal to the Minnesota-specific, locality-adjusted Medicare rates; establishes a nondrug weekly bundle limit of no more 30 nondrug bundles charges in the first calendar year an enrollee is treatment and no more than 15 weekly bundle charges in subsequent years. The change amends Minn. Stat. §245B.05, subd. 5 and adds 254B.121 and is authorized by Minnesota Laws 2023, Chapter 61, Article 4, Sections 10-11. It is expected to have a fiscal impact of \$443,000 in FY 2024 and \$1.132 million in FY 2025.

Effective January 1, 2024 MA Coverage of Tobacco Cessation. Establishes MA coverage of tobacco and nicotine cessation services, drugs to treat tobacco and nicotine addiction or dependence, and drugs to help individuals discontinue use of tobacco and nicotine products. This change allows DHS to volume purchase Quitline services and includes coverage of in-person individual and group education and counseling if provided by certain providers. It is authorized by Laws of Minnesota 2023, Article 1, Sections 8, 23. It is expected to have a fiscal impact of \$286,000 in FY 2024 and \$316,000 in FY 2025.

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# Official Notices

Effective January 1, 2024 the payment rates for certain behavioral health services are increase by 3%. These rates also increase annually effective January 1, 2025 based on the change from the midpoint of the previous rate year to the midpoint of the rate year for which the rate is being determined using the Medicare Economic Index (MEI). This change requires DHS to increase capitation payments to managed care and county-based purchasing plans and directs those plans to use the funds to increase payment rates to behavioral health service providers. It also requires DHS to monitor the effect of the increase on access to behavioral health services. It is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 35. It is expected to have a fiscal impact of \$3.883 million in FY 2024 and \$13.542 million in FY 2025.

Effective January 1, 2024 the MA Adult Dental Benefit is expanded. This requirement restores the comprehensive adult dental benefit set in MA. It is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 11. It is expected to have a fiscal impact of \$8,971,000 in FY 2024 and \$21,065,000 in FY 2025.

Effective January 1, 2024, seizure detection devices are covered as durable medical equipment. The medical assistance reimbursement rate for a subscription supporting the prescribed use of a seizure detection device is 60 percent of the rate for monthly remote monitoring under the medical assistance telemonitoring benefit. This change is expected to have a net fiscal impact of \$27,000 in FY 2024 and \$40,000 in FY 2025 and is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 21.

Effective January 1, 2024, an exception is provided to the 34-day supply limits of prescription drugs in MA to require coverage of up to a 12-month supply of prescription contraceptives. This change is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 12. It is expected to have a fiscal impact of \$5,000 in FY 2024 and \$1,000 in FY 2025.

Effective January 1, 2024 the medical assistance benefit plan must not include cost-sharing or deductibles for any medical assistance recipient or benefit. This change is authorized by Laws of Minnesota 2023, Chapter 70, Article 15, Section 12. It is expected to have a fiscal impact of 3,036,159 in FY 2024 and \$6,152,588 in FY 2025.

The newborn screening fee fix allows DHS to reimburse physicians and licensed professionals for costs incurred required metabolic disorder testing of newborns outside of an inpatient hospital or freestanding birth center and the cost is not recognized by another payment source. It is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 34. It is not expected to have a fiscal impact.

Effective January 1, 2024 mental health adult day treatment rates will increase by 50% from the rates in effective as of June 30, 2023. This change is authorized by Laws of Minnesota 2023, Chapter 70, Article 9, Section 40. It is expected to have a fiscal impact of \$453,000 in FY 2024 and \$727,000 in FY 2025.

Effective January 1, 2024, payment rates for non-emergency medical transportation are increased. The base rate unassisted transport is increased from \$11 to \$12.10 and the mileage rate is increase from \$1.30 to \$1.43 per mile. The base rate for assisted transport is increased from \$13 to \$14.30 and the mileage rate is increased from \$1.30 to \$1.43 per mile. The base rate for lift-equipped transport is increased from \$18 to \$19.80 and the mileage rate is increased from \$1.55 to \$1.70 per mile. This change is authorized by Laws of Minnesota 2023, Chapter 67, Article 3, Section 5. It is expected to have a net fiscal impact of \$1.7 million in FY 2024 and \$4.2 million in FY 2025.

Effective January 1, 2024, the non-emergency medical transportation mileage payment rates are adjusted based on the cost of fuel. Each calendar quarter, the mileage rates shall be increased by one percent for every ten-cent increment by which the cost of gasoline exceeds \$3 per gallon. For the purposes of this rate adjustment, the price of gasoline will be determined using the most recently available price of all grades of gasoline for Minnesota as posted publicly by the United States Energy Information Administration. This change is authorized by Laws of Minnesota 2023, Chapter 67, Article 3, Section 5. It is expected to have a fiscal impact of \$332,520 in FY 2024 and \$350,879 in FY 2025.

Effective January 1, 2024, the mileage rate for ambulance services shall be adjusted based on the cost of fuel. Each calendar quarter, the mileage rates shall be increased by one percent for every ten-cent increment by which the cost of gasoline exceeds \$3 per gallon. For the purposes of this rate adjustment, the price of gasoline will be determined using

# Official Notices

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the most recently available price of all grades of gasoline for Minnesota as posted publicly by the United States Energy Information Administration. This change is authorized by Laws of Minnesota 2023, Chapter 67, Article 3, Section 8. It is expected to have a fiscal impact of \$56,281 in FY 2024 and \$57,787 in FY 2025.

Effective January 1, 2024, DHS will establish requirements for hospitals and primary care providers serving Minnesota Health Care Program enrollees to develop and implement protocols to provide enrollees with comprehensive and scientifically accurate information on contraceptive options. This change requires DHS to reimburse outside of the Diagnostic Related Group (DRG) for Long Acting Reversible Contraception (LARC)s placed immediately postpartum and requires managed care organizations and county-based purchasing plans to comply with this section. This change is required by Laws of Minnesota 2023, Chapter 70, Article 1, Sections 1, 7. It is not expected to have a fiscal impact.

Effective January 1, 2024, providers placing long-acting reversible contraceptives (LARCs) immediately after a birth in an inpatient hospital setting may separately bill for the placement of the LARC on a professional claim. This is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 7. This change is expected to have a net fiscal impact of \$147,000 in FY 2024 and \$311,000 in FY 2025.

Effective January 1, 2024, Medical Education Research Committee distributions received by Federally Qualified Health Centers and Rural Health Clinics will no longer be used to reduce total base year costs when determining rates using the alternative payment methodology. This change is expected to have no net fiscal impact.

Effective January 1, 2024 or upon federal approval, whichever is later, the 23.7 percent critical access mental health rate add on will be phased out. The increase is reduced to 11.85% on 1/1/25, and to 5.925 percent by 1/1/26. The critical access rate ad on is eliminated on 1/1/27. This change is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 36. It is expected to have a fiscal impact of \$0 in FY 2024 and a savings of \$13.542 million in FY 2025.

Effective January 1, 2024 or upon federal approval, whichever is later, cost-based rates will get annual inflationary adjustments: psychiatric residential treatment facilities (PRTF), intensive residential treatment services (IRTS), intensive non-residential mental health services (IRMHS), residential crisis services (RCS), and assertive community treatment (ACT). All rates are adjusted using the Medicare Economic Index, except PRTF rates are adjusted with the inpatient psychiatric facility market basket measure. These changes are authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Sections 10, 28-29. It is expected to have a fiscal impact of \$4,141,622 in FY 2024 and \$3,927,252 in FY 2025.

Effective January 1, 2024, medical assistance covers recuperative care services. Recuperative care services means a model of care that prevents hospitalization or provides post-acute medical care and support services for recipients who are experiencing homelessness and who are too ill or frail to recover from a physical illness or injury while living in a shelter but are not ill enough to require hospitalization. The payment rate for recuperative care services include a bundled per diem medical rate and a daily facility rate. The bundled per diem medical rate must be at least \$300 per day. The facility payment rate is equal to the medical assistance room and board rate. The facility payment rate can only be paid on days when the medical per diem rate is paid. The standards at Minn. Stat. 256I do not apply to the recuperative care facility rate. Recuperative care services may be delivered in homeless shelters, congregate care settings, single room occupancy settings, supportive housing or other settings deemed appropriate by the Commissioner of Human Services. This change is expected to have a net fiscal impact of \$628,000 in FY 2024 and \$1.6 million in FY 2025. It is authorized by Laws of Minnesota 2023, Chapter 70, Article 1, Section 33.

## II. MA Payment Rates for Institutional Providers

Effective January 1, 2024 the change to the Psychiatric Residential Treatment Facilities (PRTF) sleeping hours training requirements allows flexibility during sleeping hours so that at least one staff onsite is trained and certified to provide emergency medical responses and that a registered nurse must be available on call and must be available within 60 minutes. Amends Minn. Stat. §256B.0941, subd. 49. It is authorized by Laws of Minnesota 2023, Chapter 70, Article 9, Section 34. It is not expected to have a fiscal impact.

Alternate overnight supervision for community residential settings will be changed to remove the requirement to obtain a variance and license to utilize alternate overnight supervision technology in place of an onsite caregiver. This change also adds new definitions and documentation as well as policy and provider requirements for community

residential settings that use alternate overnight supervision technology to a new section in 245D. This change is authorized in Laws of Minnesota 2023, Chapter 61, Article 1, Section 3, 4, and 6 and Chapter 70, Article 15, Section 7. It is not expected to have a fiscal impact in FY 24 and FY 25.

Effective January 1, 2024, Medical Assistance covers hospice respite and end of life care in a facility licensed under Minnesota Statute 144.75 through 144A.75. The payment rates for this service are 100 percent of the Medicare rate for continuous home care hospice as published by the Centers for Medicare and Medicaid Services. It is authorized by Laws of Minnesota 2023, Chapter 67, Article 3, Sections 9 and 10. This change is expected to have a net fiscal impact of \$29,000 in FY 2024 and \$87,800 in FY 2025.

Effective January 1, 2024, payment rates for inpatient services delivered at general hospitals that qualify for Medical Education and Research Cost (MERC) distribution must include a rate factor targeted to increase payments by the amount of the MERC distribution. Effective January 1, 2024, payment rates for outpatient services delivered at Critical Access hospitals that qualify for Medical Education and Research Cost (MERC) distribution must be increased by a percentage targeted to increase payments by the amount of the MERC distribution. Effective January 1, 2024, payment rates for outpatient services delivered at Critical Access hospitals that qualify for Medical Education and Research Cost (MERC) distribution must be increased by a percentage targeted to increase payments by the amount of the MERC distribution. This change is expected to have a net fiscal impact of \$15.2 million in FY 2024 and \$18.4 million in FY 2025. It is authorized by Laws of Minnesota 2023, Chapter 70, Article 5, Section 13 and 14.

Effective January 1, 2024, medical assistance covers hospice respite and end of life care in a facility licensed under Minnesota Statute 144.75 through 144A.75. The payment rates for this service are 100 percent of the Medicare rate for continuous home care hospice as published by the Centers for Medicare and Medicaid Services. This change is authorized by Laws of Minnesota 2023, Chapter 67, Article 3, Sections 9 and 10 and is expected to have a fiscal impact of \$29,250 in FY 2024 and \$87,751 in FY 2025.

### **III. MA Home and Community-Based Services and Payment Rates**

Effective January 1, 2024 certain Home and Community-Based Services will receive a rate increase. Payment rates for community living assistance services under the Essential Community Supports program and family caregiver services under the Alternative Care program and Elderly Waiver will be increased by 14.99 percent from the rates in effect on December 31, 2023. This change is authorized by Laws of Minnesota 2023, Chapter 61, Article 2, Section 40. This change is expected to have a fiscal impact of \$2,000 in FY 2024 and \$5,000 in FY 2025.

Effective July 1, 2023, or upon federal approval, whichever is later, homemaker rates are established to equal rates under DD, BI, CAC, and CADI to equal EW. This change amends Minn. Stat. §256B.4912, adding subd. 16 and is authorized by Laws of Minnesota 2023 Chapter 61, Article 1, Section 26. It is expected to have a fiscal impact of \$7,649,000 in FY 2024 and \$19,178,000 in FY 2025.

Effective July 1, 2023, or upon federal approval, whichever is later, the total number of hours in a week that parents and spouses may be paid to provide personal assistance services under consumer-directed community supports (CDCS) are increased from 40 total hours to 80 hours when more than one parent is providing service, 60 hours when only one parent is providing service, and 60 hours for a spouse. This legislation amends Minn. Stat. §256B.4911, by adding subd. 6; §256B.85, subdivision 7; §256B.85 adding subd. 7b. The change is authorized by Minnesota Laws 2023, Chapter 61, Article 1, Sections 23, 51-52. It is expected to have a fiscal impact of \$653,000 in FY 2024 and \$3,427,000 in FY 2025.

Effective January 1, 2024 or upon federal approval, whichever is later, the Disability Waiver Rate System (DWRS) inflationary updates and competitive workforce factors are updated. The first modification is the timing of future scheduled updates to the disability waiver rate setting framework's base wage index. The next scheduled update is changed from November 2024 to January 2024. Subsequent updates will be every two years. This change amends Minn. Stat. §256B.4914, subd. 5. The second modification is to the consumer price index inflationary adjustments. The next scheduled adjustment is moved from November 2024 to January 1, 2024. Subsequent updates will be every two years. The change requires the uses of newer data and amends Minn. Stat. §256B.4914, subd 5b. The third change increases the competitive workforce factor value from 4.7 to 6.7 percent for community residential services, family residential services, integrated community supports, adult day, day support, prevocational services, unit-based services. It amends

# Official Notices

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Minn. Stat. §256B.4914, subs. 6a, 6b, 6c, 7a, 7b, 7c, 8, and 9. These changes are authorized by Minnesota Laws 2023, Chapter 61, Article 1, Sections 29, 31, 33-40, 42. It is expected to have a fiscal impact of \$9,173,000 in FY 2024 and \$77,491,000 in FY 2025.

Effective January 1, 2024, or upon federal approval, whichever is later, the employment exploration rate is increased by modifying the standard occupational classification code to a higher level of professional. This change amends Minn. Stat. §256B.4914, subd. 5a, clause (14) and is authorized by Minnesota Session Law 2023, Chapter 61, Article 1, Section 30. It is expected to have a fiscal impact of \$3,373,000 in FY 2024 and \$32,350,000 in FY 2025.

Effective January 1, 2024, or upon federal approval, whichever is later, the new phase-in disability waiver customized living rates are modified for customized living under the brain injury (BI) and community access for disability inclusion (CADI) waivers from 10% to 29.6%. This change amends Minn. Stat. §256S.2101, subd 1 and is authorized by Minnesota Session Law 2023, Chapter 61, Article 1, Section 57; Chapter 61, Article 2, Sections 13-35 and 43. It is expected to have a fiscal impact of \$18,000 in FY 2024 and \$169,000 in FY 2025.

Effective January 1, 2024 the phase-in of rate-setting methods for many services provided under Elderly Waiver (EW) and related programs is eliminated, which results in rate increases for these services. It increases Consumer Directed Community Supports (CDCS) monthly participant budgets under EW and Alternative Care (AC) so they are equal to standard participant budgets under these programs. It also establishes a minimum wage of \$16.68 in the rate method base wage formulas, requires providers to spend at least 80 percent of revenues from rate increases on direct support worker wages and compensation, and establishes ongoing evaluation of EW rate-setting methods and periodic cost reporting requirements for service providers. The change amends § 256S and § 256B.0913 and is authorized by Laws of Minnesota, Chapter 61, Article 1, Section 57; Article 2, Sections 13-35 and 43. It is expected to have a fiscal impact of \$14,100,000 in FY 2024 and \$106,400,000 in FY 2025.

Effective January 1, 2024 payment rates for home delivered meals and chore services under the Brain Injury, Community Alternative Care, Community Access for Disability Inclusion, and Developmental Disabilities waivers will be increased by 14.99 percent from the rates in effect on December 31, 2023. This change is authorized by Laws of Minnesota 2023, Chapter 61, Article 1, Section 71. This change is expected to have a fiscal impact of \$458,000 in FY 2024 and \$1,086,000 in FY 2025.

## Minnesota Board of Peace Officer Standards and Training REQUEST FOR COMMENTS for Possible Amendments to Rules Governing Peace Officer Standards and Training, *Minnesota Rules*, chapter 6700; Revisor's ID Number 4750

**Subject of Rules.** The Minnesota Board of Peace Officer Standards and Training (POST Board) requests comments on its plan to amend *Minnesota Rules*, chapter 6700.

The purpose of this rule project is to simplify language, reorganize rules to make it easier to find information, remove unnecessary requirements, provide for better administration of the rules, clarify unclear passages, and to update the rules within the entire chapter. The POST Board anticipates giving special attention to rules related to the following topic areas; professional peace officer education; licensing examinations; school certification requirements; reciprocity; pre-service structure, curriculum, and training; and any other areas in chapter 6700 in need of revision.

The POST Board is seeking comments and suggestions for any changes in the rules administered by the Board (*Minnesota Rules*, chapter 6700).

**Persons Affected.** The amendments to the rules would likely affect:

- Licensed peace officers and applicants for licensure
- Law enforcement agencies
- Chief law enforcement officers

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# Official Notices

- Schools offering or intending to offer professional peace officer education
- Coordinators of professional peace officer education programs
- Prospective and current students interested in qualifying for licensure
- Members of the public served by licensed peace officers

**Statutory Authority.** *Minnesota Statutes*, section 626.843 authorizes the POST Board to adopt rules with respect to matters consistent with the board's regulatory authority identified in *Minnesota Statutes*, sections 626.84 to 626.863.

**Advisory Committee.** The POST Board plans to appoint an advisory committee to assist in the review of current rules and in the development of new rules. The advisory committee positions are open to representatives from the community, law enforcement, post-secondary institutions, and other parties affected by or interested in rules administered by the POST Board. To learn more about the advisory committee or to apply for the advisory committee, contact the agency contact person listed in this notice. Please review the Advisory Committee Charter before applying. Both the application and the charter can be found on the POST Board's website under "Current Rulemaking Activity." Applications to serve on the advisory committee are due by 4:30 p.m. on Wednesday, January 3, 2024 .

**Public Comment.** Interested individuals or groups may submit comments or suggestions for changes in the current rules in writing until 4:30 p.m. on Friday, February 2, 2024. Comments should be submitted to the agency contact person listed in this notice. The POST 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.

**Rules Drafts.** The POST Board has not yet drafted the possible rules amendments and does not anticipate that a draft of the rules will be available before the completion of the Advisory Committee's work or the publication of the proposed rules.

**Agency Contact Person.** Written applications, comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Alicia Popowski, Minnesota Board of Peace Officer Standards and Training (POST Board), 1600 University Avenue, Suite 200, St. Paul, MN 55104, 651-201-7782, or [alicia.popowski@state.mn.us](mailto:alicia.popowski@state.mn.us). If you would like to receive updates regarding the rules process, please visit the POST Board's website and subscribe to the POST Board's news bulletin using a valid email address.

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

**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 agency 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.

December 4, 2023

Erik Misselt, Executive Director  
Peace Officer Standards and Training Board

# 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/>

## 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: SFY 2024 Certified Small Business Micro Grant Program

MnDOT requests responses from Minnesota-based Certified Small Businesses to financially assist them with their eligible expenses that increases their business capacity and/or industry knowledge to assist in their pursuit of MnDOT projects/contracts.

Responses must be received no later than 02:00 p.m. Central Standard Time on April 30, 2024 or until funding is exhausted. Late responses will not be considered.

To view the RFP go to: [mndot.gov/civilrights/requests-for-proposals.html](https://mndot.gov/civilrights/requests-for-proposals.html).

For more information, visit: [mndot.gov/civilrights/micro-grant.html](https://mndot.gov/civilrights/micro-grant.html).

# 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

## Department of Administration

### Notice of Availability of Request for Proposal (RFP) for Designer Selection for: The Future of Advanced Agricultural Research in Minnesota (FAARM) (SDSB Project # 24-01)

The State of Minnesota, acting through University of Minnesota through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click SDSB Project #24-01).

A mandatory informational meeting will be held on Tuesday December 5<sup>th</sup>, 2023, at 9:00am CT at the Cargill Building, University of Minnesota, Saint Paul Campus, 1500 Gortner Ave, St. Paul, MN, 55108 in Room 105. The meeting will include an overview of the proposed project and a review of the scope of work.

Any questions should be directed to **Mandi Tauferner Bailey, Design Project Manager CPM** at [tauf0008@umn.edu](mailto:tauf0008@umn.edu). Project questions will be taken by this individual only. Questions regarding this RFP must be received by **December 11, 2023**, no later than **2:00 p.m.** Central Time.

Proposals must be delivered to [SDSB.Proposals.ADM@state.mn.us](mailto:SDSB.Proposals.ADM@state.mn.us) not later than **Monday December 18, by 12:00 noon CT**. Late responses will not be considered.

The University of Minnesota is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## 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.

# State Contracts

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If you have any questions regarding this notice or are having problems viewing the information on the Vendor and Supplier Opportunities website, please email the Minnesota State Procurement Unit at [Sourcing@MinnState.edu](mailto:Sourcing@MinnState.edu).

## Minnesota Lottery Request for Proposals for Minnesota State Lottery Sponsorship Agreements

### Description of Opportunity

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

The Minnesota Lottery finds sponsorship opportunities in two ways. First, the Minnesota Lottery marketing staff locates and approaches potential sponsors to negotiate directly. Second, the Minnesota Lottery accepts incoming potential sponsors through this proposal process. Employing both strategies allows the Minnesota Lottery to find the best sponsorship opportunities, including opportunities that are not already known by staff. Both strategies are evaluated using the same criteria.

If you feel your organization, event, sports team, or other opportunity is a good fit for the Minnesota Lottery to sponsor, we encourage you to prepare and submit a proposal.

### Proposal Content

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

1. Maximize Lottery Visibility - the event, sports team, or venue sponsorship proposal should draw a large number of attendees (typically 20,000 or more) whose demographics match the Lottery’s target audience. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults, ages 25-64, with a household income of \$75,000+ and an educational background of some college or higher. The Lottery does not market to those under the age of 18, and events with large numbers of children present are generally not accepted. Attendance numbers, on-site signage availability, sales and engagement opportunities, and media exposure are critical components that will be evaluated in the proposal. List and define all assets, value, and benefits that the Lottery would receive as part of the sponsorship, such as PR inclusions, social media posts, prize support, promotional activities, and signage.
2. Enhance Lottery Image - the event, sports team, or venue should be a reputable, safe, and well-run event and organization that enhances the Lottery’s brand. The Lottery’s presence should fit well within the lineup of other sponsors and participants. The Lottery is interested in sponsorships that can promote Lottery products, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers, or from joint programs with the sponsor’s media or other sponsorship partners.
3. Provide Promotional Extensions - the event, sports team, or venue proposal should offer exciting, value-added ways to interact with attendees and have opportunities to motivate attendees, listeners, and viewers to participate in and purchase Lottery games. The proposal must include staffing support, or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria, as stated above and on the RFP Evaluation Form, are to be met. To view or print copies of the Request for Proposal go to <https://www.mnlottery.com/vendors/>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Questions

Questions concerning this Solicitation must specify "Sponsorship RFP" in the email subject line or address of a USPS envelope, and should be directed to:

Purchasing  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
Email: [purchasing@mnlottery.com](mailto:purchasing@mnlottery.com)

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

## Response Delivery

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

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

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

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

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

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

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

# Non-State Public Bids, Contracts & Grants

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

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

## City of Mankato

### Notice of Request for Quote (RFQ) for Dispatch Software

Notice is hereby given that the City of Mankato has released a Request for Quote (RFQ) to solicit responses from qualified firms interested in providing computer-aided scheduling and dispatching software for demand response public transit services.

Each quote will be reviewed to determine the preferred vendor that provides the best value for meeting our project needs. All vendors who adequately complete the attached Request for Quote form will be considered for this project.

To access the complete RFQ online, or to acquire additional information about the City of Mankato - Mankato Transit System visit our website at [www.mankatomn.gov/about-mankato/business/bids-and-request-for-proposals](http://www.mankatomn.gov/about-mankato/business/bids-and-request-for-proposals). Interested parties may request paper copy delivered via U.S. mail at the below email.

Any inquiries regarding this notice should be directed to Dani Theis, Transit Administrative Specialist, by email at [danitheis@mankatomn.gov](mailto:danitheis@mankatomn.gov) by 4:00PM on December 8, 2023.

Responders are requested to submit hard copies of quotes by 4:00 p.m. C.S.T. on December 18, 2023. Hard copies shall be sent via U.S. mail to:

City of Mankato Intergovernmental Center  
Attn: Dani Theis  
10 Civic Center Plaza  
P.O. Box 3368  
Mankato, MN 56002-3368

Shawn Schloesser  
Associate Director – Transportation Planning Services  
City of Mankato

## Metropolitan Airports Commission (MAC)

### Notice of Call for Bids for 2024 Airfield Snowmelter Replacement/Upgrades

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2024 Airfield Snowmelter Replacement/Upgrades  
**MAC Contract No.:** 106-1-348  
**Bids Close At:** 2:00 PM on December 12, 2023  
**Bid Opening Conference Call:** 3:00 PM on December 12, 2023  
**Teleconference Dial In #:** 1-612-405-6798  
**Conference ID #:** 681 090 675#

# — Non-State Public Bids, Contracts & Grants

**Notice to Contractors:** Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

**Note:** You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 4%.

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

**Availability of Construction Documents:** Plans and specifications are at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at the *QuestCDN website*. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #8815353 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will ONLY be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on November 27, 2023, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

## Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2024 Parking Ramp Snowmelter Replacement/Upgrades

<b>Airport Location:</b>	<b>Minneapolis-St. Paul International Airport</b>
<b>Project Name:</b>	<b>2024 Parking Ramp Snowmelter Replacement/Upgrades</b>
<b>MAC Contract No.:</b>	<b>106-3-685</b>
<b>Bids Close At:</b>	<b>2:00 PM on December 12, 2023</b>
<b>Bid Opening Conference Call:</b>	<b>3:00 PM on December 12, 2023</b>
<b>Teleconference Dial In #:</b>	<b>1-612-405-6798</b>
<b>Conference ID #:</b>	<b>681 090 675#</b>

**Notice to Contractors:** Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via *QuestCDN's website* until the official time and date as displayed in QuestCDN Online.

**Note:** You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 4%.

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

**Availability of Construction Documents:** Plans and specifications are at the QuestCDN Online indicated below and

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

at the Minnesota Builders Exchange; Rochester Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications for personal use may secure a complete digital set at **QuestCDN's website**. Bidders may download the complete set of digital documents for \$22.00, or other fee as determined by QuestCDN, by entering eBidDoc™ #8803464 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance. Hard copy drawings and specifications will not be made available to Bidders. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$42.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on November 27, 2023, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).

## **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)

### **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).

