

## Minnesota Board of Podiatric Medicine

### NOTICE OF INTENT TO REPEAL OBSOLETE RULES

**Proposed Repeal of Obsolete Rules Governing Definitions, Temporary Permits, Licensure Requirements, Reinstatement of License, and Continuing Education, *Minnesota Rules*, 6900.0010, subp. 1a; 0020, subps. 6, 7; .0160, subp. 2; .0210 subp. 1 C, D; .0300, subp. 1, 1a, and 3b; Revisor's ID Number 4604**

**Introduction.** The Minnesota Board of Podiatric Medicine ("Board") intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until March 23, 2020.

**Board Contact Person.** You must submit comments or questions on the rules to: Ruth Grendahl, Executive Director, Minnesota Board of Podiatric Medicine, 2829 University Avenue SE, Suite 430, Minneapolis, MN 55414, [ruth.grendahl@state.mn.us](mailto:ruth.grendahl@state.mn.us), (612) 548-2175. You may submit the comments or questions via U.S. mail, personal delivery, or electronic mail.

**Subject of the Repeal of Obsolete Rules and Statutory Authority.** The proposed obsolete rules are about temporary permits, licensure requirements, reinstatement of license, and continuing education. The Board identified the proposed obsolete rules to be repealed in its annual 2018 obsolete rules report under Minnesota Statutes section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in Minnesota Statutes, sections 14.3895 and 153.02. A copy of the proposed obsolete rules to be repealed is published in the State Register and attached to this notice as mailed.

The statutory changes that rendered these rules obsolete went into effect on August 1, 2018, so the impact on the licensees and/or the public has already occurred.

All of the provisions set to be repealed have been rendered obsolete by Minnesota Statutes, as follows:

- Minnesota Rules 6900.0010, subp. 1a, Definitions, has been rendered obsolete by Minnesota Statutes, section 153.16, subd. 1(d) (2018). Minnesota Statutes, section 153.16, subd. 1(d) no longer allows for graduate training to include a preceptorship; it requires a residency. The rule defined "acceptable graduate training" to include a preceptorship.
- Minnesota Rules 6900.0020, subps. 6, 7, Licensure Requirements, have been rendered obsolete by Minnesota Statutes, section 153.16, subd. 1(d) (2018). Minnesota Statutes, section 153.16, subd. 1(d) no longer allows for graduate training to include a preceptorship; it requires a residency. The rule allowed for a preceptorship.
- Minnesota Rule 6900.0160, subp. 2, Temporary Permit, has been rendered obsolete by Minnesota Statutes, section 153.16, subd. 3 (2018). Specifically, Minnesota Statute, section 153.16, subd. 3, allows the board to issue a temporary permit when a podiatrist is engaged in a clinical residency and provides that the permit renews annually until the

residency requirements have been met. The rule allowed the Board to issue a temporary permit for only 12 months and then allowed for reissue under certain circumstances.

- Minnesota Rule 6900.0210, subp. 1 C, D, Reinstatement of License, has been rendered obsolete by Minnesota Statutes, section 153.16, subd. 2(f) (2018). Minnesota Statute, section 153.16, subd. 2(f), requires those applying for reinstatement of licensure to show evidence of participation in the statutorily-required number of continuing education credit during the inactive period. The rule allowed applicants to show evidence of only one-half of the required continuing education.
- Minnesota Rule 6900.0300, subps. 1, 1a, and 3b, Continuing Education, have been rendered obsolete by Minnesota Statutes, section 153.16, subd. 5(a), (b) (2018). Minnesota Statute, section 153.16, subd. 5(a), (b), requires each podiatrist to complete 40 clock hours of continuing education during each two-year renewal period. The rule required only 30 hours.

**Comments.** You have until 4:30 p.m. on March 23, 2020, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal. Your comment must be in writing and received by the Board contact person by the due date. The Board encourages comment. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments on the legality of the proposed rules during this comment period.

**Request for Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request in writing and the Board contact person must receive it by 4:30 p.m. on March 23, 2020. Your written request must include your name and address. You must identify the portion of the proposed repealed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it for determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Effect of Requests.** If 25 or more people submit a written request, the Board will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

**Modifications.** The Board might modify its choice of these designated rules or parts proposed for repeal (e.g. fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the Board. If the final rules are identical to the rules originally published in the State Register, the Board will publish a notice of adopting the repealers in the State Register. If the final rules are different from the rules originally published in the State Register, the Board must publish a copy of the changes in the State Register. If the proposed repeal of obsolete rules affects you in any way, the Board encourages you to participate in the rulemaking process.

**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 Board contact person at the address or telephone number listed above.

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

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

1-9-20

Date



Ruth Grendahl  
Executive Director