

Exhibit K3

OAH 71-9054-37629
Revisor R-4384

STATE OF MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed
Rule Amendments Governing
Minnesota Veterans Homes,
Minnesota Rules, Chapter 9050

ORDER ON REQUEST FOR REVIEW AND APPROVAL OF ADDITIONAL NOTICE PLAN AND NOTICE OF INTENT TO ADOPT RULES WITHOUT A HEARING

This matter came before Administrative Law Judge Jessica A. Palmer-Denig upon the request of the Minnesota Department of Veterans Affairs (Department) for review and approval of its Additional Notice Plan and Notice of Intent to Adopt Rules Without a Public Hearing (Notice). The Department filed its submission on September 21, 2021, seeking a legal review of its materials under Minn. Stat. § 14.22 (2020) and Minn. R. 1400.2060, .2080 (2021).

The Department supplemented its filing on September 23, 2021. The Department's supplemental materials clarified that, should a hearing be necessary, it will be held via Microsoft Teams. The Department provided information on how the hearing may be accessed. Additionally, the Department confirmed that it will provide notice of the rulemaking to those registered on its mailing list as required by Minn. Stat. § 14.14, subd. 1a(a) (2020).


In addition to providing notice to all parties on its rulemaking list, the Department will notify specific groups that requested copies of the proposed rules during the Request for Comment period. These groups include the Minnesota Elder Bar, the Minnesota Veterans Home Family Council, and the Minnesota Department of Human Services' Office of Ombudsman for Long-Term Care. The Department will also notify specific agencies and organizations that advocate for or provide services to veterans. These groups include the Minnesota Association of County Veterans Service Officers, including Tribal Veteran Service Officers; the Minnesota Assistance Council for Veterans; the American Legion Department of Minnesota; Department of Minnesota AMVETS; Vietnam Veterans of America Minnesota State Council; Disabled American Veterans Department of Minnesota; Jewish War Veterans; Minnesota Paralyzed Veterans of America; and the Department of Minnesota Veterans of Foreign Wars. The Department will notify these groups by providing, via email or U.S. Mail, a copy of the Notice, proposed rules and Statement of Need and Reasonableness (SONAR). The Department will also post a copy of the Notice, proposed rules, and SONAR on its rulemaking webpage.

Based upon a review of the written submissions from the Department,

IT IS HEREBY ORDERED THAT:

1. The Additional Notice Plan is **APPROVED**.
2. The Notice is **APPROVED**, contingent upon the Department modifying the Notice: (a) to clarify that, in the event a hearing is necessary, it will be held via Microsoft Teams; and (b) to provide information on how the hearing may be accessed.

Dated: September 29, 2021


JESSICA A. PALMER-DENIG
Administrative Law Judge