

Rule Hearing

Exhibit List

January 31, 2022

The following documents will be placed into the hearing record for the Minnesota Department of Veterans Affairs (MDVA) proposed revisions of Minnesota Rules, Chapter 9050, relating to the Minnesota Veterans Homes.

OAH Docket No. 71-9054-37629, Revisor's ID Number R-4384

I. Documents required to be placed in the hearing record in accordance with Minn. Rule 1400.2220, Subpart 1:

- A. Exhibit A - The Request for Comments published in the January 4, 2016, State Register.
- B. Exhibit B - The Petition for Rulemaking, if the rule was proposed in response to it (Not Applicable).
- C. Exhibit C - The proposed rules, including Revisor's approval.
- D. Exhibit D - The Statement of Need and Reasonableness (SONAR).
- E. Exhibit E - The Certificate of Mailing the SONAR to the Legislative Reference Library.
- F. Exhibit F - The Dual Notice of Intent to Adopt Rules without a public hearing unless 25 or more persons request a hearing (Dual Notice), and Notice of Rescheduled Hearing.
 - F1. Exhibit F1 - The Dual Notice as mailed and posted on the MDVA website; and the Dual Notice as published in the October 18, 2021, State Register.
 - F2. Exhibit F2 - The Notice of Rescheduled Hearing as mailed and posted on the MDVA website; and the Notice of Rescheduled Hearing as published in the December 6, 2021, State Register.
- G. Certificates of Mailing.
 - G1. Exhibit G1 - The Certificate of mailing the Dual Notice, and Certificate of Accuracy of the Mailing List.
 - G2. Exhibit G2 - The Certificate of mailing the Notice of Rescheduled Hearing to Those Who Requested a Hearing in compliance with Minn. Stat. § 14.25, subd. 1.
- H. Certificates of Giving Additional Notice.
 - H1. Exhibit H1 - The Certificate of giving Additional Notice pursuant to the Additional Notice Plan. Notice includes mailing the Dual Notice via email and U.S. mail to all persons registered with the MDVA to receive notice of the rules, as required by Minn. Stat. § 14.14, subd. 1a.

- H2. Exhibit H2 - The Certificate of Giving Additional Notice pursuant to the Additional Notice Plan. Notice includes mailing the Notice of Rescheduled Hearing via email and U.S. mail to all persons registered with the MDVA to receive notice of the rules, as required by Minn. Stat. § 14.14, subd. 1a.
- I. Written comments on the proposed rules received by the MDVA during the comment period for the Dual Notice. All comments on this rulemaking have been directed to the Office of Administrative Hearings (OAH) either by fax, U.S. mail, or the OAH eComments website.
 - I1. Exhibit I1 - OAH eComments Report; 47 eComments with Attachments
 - I2. Exhibit I2 - Public comments received by U.S. mail; seven (7) letters.
- J. Exhibit J - If the Chief Judge has authorized the agency to omit from the Notice of Hearing published in the State Register the text of any proposed rule, a copy of the document Authorizing omission (Not Applicable).
- K. Other documents to show compliance with the requirements of applicable laws or rules.
 - K1. Exhibit K1 - The Certificate of Consulting with the Commissioner of Management and Budget in compliance with Minnesota Statutes, Section 14.131.
 - K2. Exhibit K2 - The letter from the MDVA dated September 21, 2021, to Administrative Law Judge (ALJ) Jessica Palmer-Denig with a request to schedule a rules hearing, and request for review and approval of the Dual Notice and Additional Notice Plan.
 - K3. Exhibit K3 - The Order on Request for Review and Approval of Additional Notice Plan and Notice of Intent to Adopt Rules Without A Hearing from ALJ Jessica Palmer-Denig dated September 29, 2021.
 - K4. Exhibit K4 - The letter from the MDVA dated November 17, 2021, to ALJ Jessica Palmer-Denig with a request to reschedule the hearing date of December 7, 2021, as identified in the Dual Notice.
 - K5. Exhibit K5 - The Order on Request for Review and Approval of Notice of Rescheduled Hearing from ALJ Jessica Palmer-Denig dated November 24, 2021.

II. Additional Documents in response to public comments.

- L. Comments and materials submitted during the hearing.
 - L1. Copy of slides from the MDVA presentation at the January 31, 2022, rule hearing.
 - L2. Draft Modification to the Proposed Revisions of Minnesota Rules, Chapter 9050, relating to the Minnesota Veterans Homes being considered by the MDVA in response to comments received during the Dual Notice comment period.

- 9050.0040, Subp. 26b. Definition of commissioner.
- 9050.0050, Subp. 3a. Residence and durational requirement.
- 9050.0600, Subp. 1A. Property limitations.