

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF HEALTH

In the Matter of the Proposed Amendments  
to Rule Governing Pool Water Conditions,  
Minnesota Rule 4717.1750

**ORDER ON REVIEW OF  
RULES UNDER  
MINN. STAT. § 14.26**

The Minnesota Department of Health (Department) is seeking review and approval of amendments to Minnesota Rules part 4717.1750, which were adopted by the agency without a hearing pursuant to Minnesota Statutes section 14.26 (2014). On May 2, 2016, the Office of Administrative Hearings received the documents filed by the Department under Minnesota Statutes section 14.26, and Minnesota Rules part 1400.2310 (2015).

Based on a review of the written submissions and filings, applicable statutes and rules, and for the reasons set forth in the attached Memorandum,

**IT IS HEREBY DETERMINED:**

1. The Department has the statutory authority to adopt the amendments to the rule.
2. The amendments to the rule were adopted in compliance with the procedural requirements of Minnesota Statutes chapter 14 (2014), and Minnesota Rules chapter 1400 (2015).
3. The record demonstrates the amendments to the rule are needed and reasonable.

**IT IS HEREBY ORDERED THAT:**

The amendments to the rule are **APPROVED**.

Dated: May 12, 2016

  
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JEANNE M. COCHRAN  
Administrative Law Judge

## MEMORANDUM

The Department submitted the amendments to the rule to the Administrative Law Judge for review under Minnesota Statutes section 14.26, subdivision 3(a), which specifies that the Administrative Law Judge must “approve or disapprove the rule as to legality and form.” In conducting the review, the Administrative Law Judge must consider (1) whether the agency has the authority to adopt the amendments to the rule, (2) whether the record demonstrates a rational basis for the need and reasonableness of the amendments to the rule, and (3) whether the amendments to the rule as modified are substantially different from the rule as originally proposed.<sup>1</sup> Based on a review of the Department’s written submissions and filings, the Administrative Law Judge concludes the amendments to the rule comply with the applicable legal requirements.

**J. M. C.**

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<sup>1</sup> Minn. Stat. § 14.26, subd. 3(a) (2014).