

Minnesota Office of Administrative Hearings

Workers' Compensation Division

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Permanent Rules Governing Workers' Compensation Litigation Procedures: Resolution of Claims with Intervenors, Minnesota Rules, 1420.1850; Revisor's ID Number RD4527

Introduction. The Office of Administrative Hearings (Agency) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until September 28, 2018.

Agency Contact Person. You may submit comments or questions on the rules to the Agency contact person. The Agency contact person is:

Katie Lin
Rulemaking Coordinator
Office of Administrative Hearings
PO Box 64620
St. Paul, MN 55164
Phone: (651) 361-7911
TDD: (651) 361-7878
Fax: (651) 539-0310
Email: Katie.Lin@state.mn.us

You may also review the proposed rules and submit written comments via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/>

Subject of the Rules and Statutory Authority. The proposed rules are about workers' compensation intervention practices. The rules allow counsel for the employee and/or employer/insurer to jointly file a partial stipulation. The statutory authority to adopt the rules is Minn. Stat. 176.83, subd. 12. A copy of the proposed rules is published in the State Register and attached to this notice as mailed. The proposed rules may be also viewed at <https://minnesotaoah.granicusideas.com/>.

Comments. You have until 4:30 p.m. on September 28, 2018, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and received by the Agency contact person by the due date. The Agency encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. In addition, you

are encouraged to propose any change desired. You must also make any comments that you have on the legality of the proposed rules during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Agency hold a hearing on the rules. Your request must be in writing and the Agency contact person must receive it by 4:30 p.m. on September 28, 2018. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Agency cannot count it when 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.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Agency will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Agency must give written notice of this to all persons who requested a hearing, explain the actions the Agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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.

Modifications. The Agency may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the Agency, and the adopted rules may not be substantially different than these proposed rules, unless the Agency follows the procedure under Minnesota Rules, part 1400.2110. If the proposed rules affect you in any way, the Agency encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the Agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the Agency contact person.

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.

Adoption and Review of Rules. If no hearing is required, the Agency may adopt the rules after the end of the comment period. The agency will then submit the rules and

supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Agency submits the rules to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the Agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: August 7, 2018

A handwritten signature in black ink, appearing to read 'TLP', with a long horizontal line extending to the right.

TAMMY L. PUST
Chief Judge