

STATE OF MINNESOTA
REHABILITATION REVIEW PANEL AND
MEDICAL SERVICES REVIEW BOARD

IN THE MATTER OF THE REPEAL
OF THE JOINT RULES OF PRACTICE
OF THE WORKERS' COMPENSATION
REHABILITATION REVIEW PANEL AND THE
MEDICAL SERVICES REVIEW BOARD, PARTS
5217.0010 TO 5217.0280

STATEMENT OF NEED
AND REASONABLENESS

In November 1984, the Minnesota Workers' Compensation Rehabilitation Review Panel and Medical Services Review Board (hereinafter Panel/Board) promulgated rules pursuant to Minnesota Statute 176.102, subd. 3b and 176.103, subd. 3c governing procedures for evidentiary hearings held by the Panel and Board at that time.

In 1987, the legislature amended Minnesota Statutes sections 176.102 and 176.103 by removing the Panel/Board's authority to review medical and rehabilitation orders of the Department of Labor and Industry. These appeals are now heard by the Office of Administrative Hearings. The Panel currently has authority to review and make determinations with respect to appeals from orders of the commissioner regarding certification approval of qualified rehabilitation consultants and vendors and also the authority to discipline qualified rehabilitation consultants and vendors. The Board has authority to discipline health care providers.

The rules governing proceedings involving employee benefits are no longer relevant to practicing before the Panel/Board and the proposed repeal of these rules is intended to clarify the procedures litigants must now use appearing before the Panel/Board. The Panel/Board's amended adjudicatory authority requires practice under Minnesota Statutes Chapter 14 and Minnesota Rules, part 1400. Therefore, to eliminate confusion by the parties who practice before the workers' compensation tribunals, it is necessary to repeal Minnesota Rules, parts 5217.0010 to 5217.0280.

V. Small Business Consideration

There is no adverse impact on small business if these rules are repealed.