



*Protecting, maintaining and improving the health of all Minnesotans*

November 30, 2005

Governor Tim Pawlenty

Greg Hubinger, Director  
Legislative Coordinating Commission

Michele Timmons  
Revisor of Statutes

Policy and Funding Committees and Divisions with  
Jurisdiction over the Minnesota Department of Health  
[A complete list of addressees is at the end of the letter.]

Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as Required by  
Minnesota Statutes, Section 14.05, Subdivision 5.

Minnesota Statutes, section 14.05, subdivision 5, states:

“By December 1 of each year, an agency must submit to the governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. By December 1, the agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section 14.389 to repeal or amend the obsolete, unnecessary, or duplicative rule. A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior year’s report as obsolete, unnecessary, or duplicative. If none of an agency’s rules are obsolete, unnecessary, or duplicative, an agency’s December 1 report must state that conclusion.”

RECEIVED  
NOV 30 2005  
REVISOR OF STATUTES

We have identified the following Minnesota Department of Health (MDH) rules as obsolete for this report:

- 2005 (1) Parts 4763.0310, 4763.0320, and 4763.0330 - Loan Forgiveness Programs. These rules are no longer needed due to statute change in 2003. The rest of the chapter was repealed in Laws 2003, but these three sections were not listed due to an oversight. These rules are recommended for repeal.

MDH intends to repeal these obsolete rules using the expedited process for repealing obsolete rules found in Minnesota Statutes, section 14.3895.

In last year's report, we identified six sections of MDH rules as being obsolete, unnecessary, or duplicative. The current status of these rules is:

- 2004 (1) ✓ Chapter 4656 – Case Mix Classification System for the Medical Assistance Program. The Minnesota Department of Human Services expressed concerns about repealing these rules, so we removed them from our rule repealer.
- 2004 (2) ✓ Certain parts and subparts of Chapter 4685 – Health Maintenance Organizations. These rules are in the process of being repealed using Minnesota Statutes, section 14.3895, except for part 4685.3300, subparts 6 and 7, which are not being repealed because the Minnesota Council of Health Plans expressed concerns about repealing these rules.
- 2004 (3) ✓ Part 4736.0100 – Indian Health Grants to Community Health Boards. These rules are in the process of being repealed using Minnesota Statutes, section 14.3895.
- 2004 (4) ✓ Chapter 4763 – Medical Education Assistance Programs. These rules are in the process of being repealed using Minnesota Statutes, section 14.3895.
- 2004 (5) Certain parts and subparts of Chapter 4747 - Alcohol And Drug Counselor Licensing. MDH did not repeal these rules because the responsibility for these rules was transferred to the new Board of Behavioral Health and Therapy on July 1, 2005.
- 2004 (6) Certain parts of chapter 4617 - WIC Program. These rules were repealed as part of the rulemaking process for updating other parts of chapter 4617.

MDH Annual Obsolete Rules Report  
November 30, 2005  
Page 3

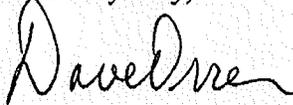
---

If you have any questions regarding this report, please contact me at:

---

Dave Orren  
Department of Health  
85 East 7th Place, Suite 400  
St. Paul, Minnesota 55164-0882  
651/282-6310

Yours very truly,



Dave Orren, Rules Coordinator  
Minnesota Department of Health

This is a complete list of addressees for MDH's 2005 Annual Obsolete Rules Report.

Governor Tim Pawlenty

Greg Hubinger, Director  
Legislative Coordinating Commission

Michele Timmons  
Revisor of Statutes

Senator Becky Lourey, Chair  
Senator Michelle Fischbach, Ranking Minority  
Party Member  
Senate Health and Family Security Committee

Senator Linda Berglin, Chair  
Senator Brian LeClair, Ranking Minority Party  
Member  
Senate Finance Committee, Health and Human  
Services Budget Division

Senator John Marty, Chair  
Senator Pat Pariseau, Ranking Minority Party  
Member  
Senate Environment and Natural Resources  
Committee

Senator Dallas Sams, Chair  
Senator Steve Dille and Senator Dennis  
Fredrickson, Ranking Minority Party  
Members  
Senate Environment, Agriculture, and Economic  
Development Budget Division

Senator Linda Higgins, Chair  
Senator Claire Robling, Ranking Minority Party  
Member  
Senate State and Local Government Operations  
Committee

Senator Sheila Kiscaden, Chair  
Senator Geoff Michel, Ranking Minority Party  
Member  
Senate State Government Budget Division  
Committee

Representative Jim Abeler, Chair  
Representative Paul Thissen, Lead-DFL  
House Healthcare Cost Containment Division  
Committee

Representative Fran Bradley, Chair  
Representative Thomas Huntley, Lead-DFL  
House Health Policy and Finance Committee

Representative Tom Hackbarth, Chair  
Representative Karen Clarke, Lead-DFL  
House Environment and Natural Resources Policy  
Committee

Representative Dennis Ozment, Chair  
Representative Jean Wagenius, Lead-DFL  
House Environment and Natural Resources  
Finance Committee

Representative Kathy Tingelstad, Chair  
Representative Phyllis Kahn, Lead-DFL  
House Governmental Operations and Veterans  
Affairs Policy Committee

Representative Bob Gunther, Chair  
Representative John Dorn, Lead-DFL  
House Jobs and Economic Opportunity Finance  
Committee