

m1 MINNESOTA
OFFICE OF EMERGENCY
MEDICAL SERVICES

January 2, 2026

Senate Health and Human Services Committee

Senator Melissa Wicklund
95 University Ave
Room 2107
St. Paul, MN 55155

Senator Paul Utke
95 University Ave
Room 2403
St. Paul, MN 55155

House Health and Human Services Committee

Representative Jeff Backer
2nd Floor, Centennial Office
St. Paul, MN 55155

Representative Robert Bierman
5th Floor, Centennial Office
St. Paul, MN 55155

RE: Annual Submission of Rulemaking Docket, as Required by Minnesota Statutes, Section 14.116

Dear Legislators:

Minnesota Statutes, section 14.116 (a) requires that by January 15 of each year, each state agency submits its rulemaking docket maintained under section 14.366, to the chairs and ranking minority members of the legislative policy and budget committees with jurisdiction over the subject matter of the proposed rule. A copy of that docket has been attached to this letter.

Additionally 14.116 (a) further requires agencies to provide chairs and ranking minority members a copy of the rulemaking record associated with any administrative rules implemented in the last calendar year. On July 16, 2025 OEMS adopted changes to 4690.8300 which provided additional medication options for BLS ambulances. A copy of that rulemaking record is attached.

If you have any questions regarding this report, please contact Dylan Ferguson, OEMS Director at 651-201-2806

Professionally,



Dylan J Ferguson, Director
Office of Emergency Medical Services

Enclosure

Cc: Legislative Reference Library

OEMS Rulemaking Docket

This rulemaking docket is current as of August 11, 2025 and is prepared as required in accordance with Minnesota Statute 14.366. OEMS began operation as a successor to the Emergency Medical Services Regulatory Board on January 1, 2025. Any uncompleted rulemaking projects of EMSRB will start over under the Office of EMS and are maintained on this docket. Previously completed rulemaking activities of EMSRB are not included on this docket.

Ground Ambulance Vehicle Standards

The Office of EMS is considering adoption of a revised rule Chapter 4690.1500. The changes under consideration would include the adoption of updated ground ambulance vehicle standards to the current version of either the Commission on Accreditation of Ambulance Service Vehicle Standards, or the current version of the NFPA ambulance standard. The current standard cited in regulation is from 1983. No notices related to this potential rulemaking have been posted at this time. Individuals with comment can contact Director Dylan Ferguson at Dylan.Ferguson@state.mn.us

EMS Patient Care Reports

The Office of EMS is considering adoption of new rules pertaining to the submission of EMS patient care reports as required under Minnesota Statute 144E.123. Changes under consideration could include a timeliness requirement for submission of reports, and data validity requirements. No notices related to this potential rulemaking have been posted at this time. Individuals with comment can contact Director Dylan Ferguson at Dylan.Ferguson@state.mn.us

Recently Completed Rulemakings

Medications Eligible for Variance Related to BLS Ambulances (Expedited)

In response to a rulemaking petition from an EMS physician, the Office of EMS is considering adoption of a revised rule Chapter 4690.8300. The changes under consideration would allow EMTs to administer intranasal glucagon as opposed to being limited to intramuscular, resulting in potential cost savings to ambulance services. In addition to adding an option of anticholinergics for nebulizer treatments. These rules were filed with the Minnesota Secretary of State on July 23, 2025, and were adopted and became effective with publishing in the State Register on August 11, 2025. Individuals with comment can contact Director Dylan Ferguson at Dylan.Ferguson@state.mn.us

July 23, 2025

VIA EMAIL ONLY

Public Records Staff
Office of Minnesota Secretary of State
Veterans Services Building, Suite 210
20 West 12th Street
St. Paul, Minnesota 55155
official.documents@state.mn.us

**Re: *In the Matter of the Office of Emergency Medical Services Adoption
of Expedited Rules Pertaining To BLS Ambulance Medication
Variances***
OAH 5-9063-40969; Revisor R-4914

Dear Public Records Staff:

Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Dylan J. Ferguson
Executive Director
Office of Emergency Medical Services
335 Randolph Ave Ste 220
Saint Paul, MN 55102
dylan.ferguson@state.mn.us

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,



Susan Day
Legal Assistant

Enclosures

cc: Dylan J. Ferguson (via email)

1.1 **Office of Emergency Medical Services**

1.2 **Adopted Expedited Permanent Rule Relating to Modifying Specific Variances for**
1.3 **Certain Drugs**

1.4 **4690.8300 SPECIFIC VARIANCES.**

1.5 *[For text of subparts 1 to 6, see Minnesota Rules]*

1.6 Subp. 7. **Variance for certain drugs.** The director shall grant a variance to a basic
1.7 ambulance service licensee to carry and to administer beta agonist with or without an
1.8 anticholinergic by metered dosed inhalation or nebulization, or both; premeasured epinephrine
1.9 by intranasal or intramuscular route; sublingual nitroglycerin; or premeasured intramuscular,
1.10 intranasal, or subcutaneous glucagon only if the licensee shows that:

1.11 *[For text of items A to E, see Minnesota Rules]*

1.12 *[For text of subparts 8 and 9, see Minnesota Rules]*

Office of the Revisor of Statutes

Administrative Rules



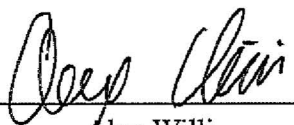
TITLE: Adopted Expedited Permanent Rule Relating to Modifying Specific Variances for Certain Drugs

AGENCY: Office of Emergency Medical Services

REVISOR ID: R-4914

MINNESOTA RULES: Chapter 4690

The attached rules are approved for
filing with the Secretary of State



Alex Willi
Assistant Revisor



VIA EFILING

July 7, 2025

The Honorable Judge James Mortenson
Administrative Law Judge
Office of Administrative Hearings

**In the Matter of the Proposed Expedited Rules Relating to Variances for Certain Drugs for BLS Ambulances ;
Request for Review and Approval; Revisor's ID Number 4914; OAH Docket No. 5-9063-40969**

Dear Judge Mortenson:

The Minnesota Office of Emergency Medical Services proposes to adopt expedited rules relating to the types and routes of medications that can be administered by BLS ambulance services with specific variance approval. The Office of Emergency Medical Services has the authority for the expedited rules under 144E.011 Subd. 3 (1). This letter requests that the Office of Administrative Hearings review and approve these rules under Minnesota Statutes, section 14.389.

Enclosed are the documents required under Minnesota Rules, part 1400.2410, subpart 2, items A to K. Paragraphs A to K of this letter are keyed to items A to K of part 1400.2410. Unless otherwise stated, the document is enclosed.

- A. Enclosed: the proposed rules, including the Revisor's approval.
- B. Enclosed: the Notice of Intent to Adopt Expedited Rules as mailed and published in the *State Register* on March 24, 2025.
- C. Enclosed: the Certificate of Mailing the Notice of Intent to Adopt Expedited Rules and the Certificate of Accuracy of the Mailing List.
- D. Not enclosed: the Certificate of Additional Notice because no additional notice was given. While an additional notice plan was not submitted, additional notice was provided to entities that were listed in the CC line on the email submitted as an exhibit in item c. These included industry associations, and the eight regional emergency medical services systems.
- E. Enclosed: all written comments and submissions on the proposed rules. Two comments in support were received.
- F. Not enclosed: the Notice of Withdrawal of Hearing Requests and related documents because no hearing requests were received.

- G. Enclosed: a copy of the adopted rules dated March 24, 2025. These are the same rules provided in
- H. Not enclosed: a Notice of Adopting Substantially Different Rules because the Office of Emergency Medical Services did not adopt substantially different rules.
- I. Enclosed: the unsigned Order Adopting Rules that complies with Minnesota Rules, part 1400.2090.
- J. Not enclosed: a Notice of Submission of Rules to the Office of Administrative Hearings and related documents because no one requested to be notified of the submission.
- K. Not enclosed: any other document or evidence because the Office of Emergency Medical Services isn't required to submit any other document or evidence.

If you have any questions or concerns, please contact me at dylan.ferguson@state.mn.us or 651-201-2806.

Sincerely,

Dylan Ferguson
OEMS Director

1.1 **Office of Emergency Medical Services**1.2 **Proposed Expedited Permanent Rule Relating to Modifying Specific Variances for**
1.3 **Certain Drugs**1.4 **4690.8300 SPECIFIC VARIANCES.**1.5 *[For text of subparts 1 to 6, see Minnesota Rules]*

1.6 Subp. 7. **Variance for certain drugs.** The ~~board~~ director shall grant a variance to a
1.7 basic ambulance service licensee to carry and to administer beta agonist with or without an
1.8 anticholinergic by metered dosed inhalation or nebulization, or both; premeasured
1.9 subcutaneous epinephrine; by intranasal or intramuscular route; sublingual nitroglycerin;
1.10 or premeasured intramuscular, intranasal, or subcutaneous glucagon only if the licensee
1.11 shows that:

1.12 *[For text of items A to E, see Minnesota Rules]*1.13 *[For text of subparts 8 and 9, see Minnesota Rules]*

Office of the Revisor of Statutes

Administrative Rules



TITLE: Proposed Expedited Permanent Rule Relating to Modifying Specific Variances for Certain Drugs

AGENCY: Office of Emergency Medical Services

REVISOR ID: R-4914

MINNESOTA RULES: Chapter 4690

The attached rules are approved for
publication in the State Register

A handwritten signature in black ink, appearing to read "Alex Willi", is written over a horizontal line.

Alex Willi
Assistant Revisor

Expedited Rules

	Species	Open Season	Daily and Possession Limits
G.	Walleye		
	Lake Superior and all streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries.	Saturday two weeks prior to Saturday of Memorial Day weekend through March 1	2. All must be at least 15 inches in length.
H.	Northern pike		
	Lake Superior and all streams and rivers from Lake Superior upstream to the posted boundaries, including the St. Louis River upstream to the Highway 23 bridge, and Lake Superior tributaries with no posted boundaries.	Saturday two weeks prior to Saturday of Memorial Day weekend through March 1	2

All other species may be taken as allowed by inland regulations, except that for the St. Louis River downstream of the Minnesota Highway 23 bridge, part 6266.0500 applies. ~~When the closing date of the season falls on a Saturday, the season extends to the following Sunday.~~

[For text of subpart 7, see Minnesota Rules]

Minnesota Office of Emergency Medical Services

Division of Medical Services

Proposed Expedited Permanent Rule Relating to Modifying Specific Variances for Certain Drugs; Notice of Intent to Adopt Expedited Rules without a Public Hearing

Proposed Amendment to Rules Relating to Variances for certain drugs for BLS ambulances, *Minnesota Rules*, 4690.8300 Subp. 7; Revisor's ID Number 4914

Introduction. The Minnesota Office of Emergency Medical Services intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until **4:30 p.m. on April 30, 2025.**

Subject of the Expedited Rules. The proposed expedited rules are about the specific medication variances that can be applied for by basic life support (BLS) ambulances. This rule as proposed would allow BLS ambulances to apply for variances that would allow anticholinergics by metered dose inhalers or nebulizers. Additionally other methods of administration of glucagon and epinephrine, including intranasal would be permitted.

Statutory Authority. The statutory authority to adopt these rules is 144E.011 Subd. 3 (1) and 144E.16 Subd. 4 (4).

The statutory authority to adopt the rules under the expedited rulemaking process is 144E.011 Subd. 3 (1).

Publication of proposed rules. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The proposed expedited rules may be viewed at: www.mn.gov/oems

Agency Contact Person. The agency contact person is Dylan Ferguson at the Office of Emergency Medical Services, 335 Randolph Ave St. Paul MN 55102, 651-201-2806, and dylan.ferguson@state.mn.us. You may contact the

Expedited Rules

agency contact person with questions about the rules.

Public Comment. You have until **4:30 p.m. on Wednesday April 30, 2025**, to submit written comment in support of or in opposition to the proposed expedited 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. Your comment should identify the portion of the proposed expedited 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. If the proposed expedited rules affect you in any way, the agency encourages you to participate in the rulemaking process.

Submit written comments to the agency contact person listed above, by U.S. Mail delivered to the Office of Emergency Medical Services, 335 Randolph Ave, Saint Paul, Minnesota 55102, or by email at ***Dylan.Ferguson@state.mn.us***.

All comments or responses received are public data and will be available for review at the Office of Emergency Medical Services or on the Agency's website at ***www.mn.gov/oems***.

Modifications. The agency may modify the proposed expedited rules using either of two avenues: The agency may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the agency may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

Adoption and Review of Expedited Rules. The agency may adopt the rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. 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.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions about 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 18006573889.

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.

Date: 3/12/2025

Dylan Ferguson
Office of EMS Director

4690.8300 SPECIFIC VARIANCES.

[For text of subparts 1 to 6, see Minnesota Rules]

Subp. 7. **Variance for certain drugs.** The ~~board~~ director shall grant a variance to a basic ambulance service licensee to carry and to administer beta agonist ~~with or without an anticholinergic~~ by metered dosed inhalation or nebulization, or both; premeasured ~~subcutaneous~~ epinephrine; ~~by intranasal or intramuscular route~~; sublingual nitroglycerin; or premeasured intramuscular, ~~intranasal~~, or subcutaneous glucagon only if the licensee shows that:

[For text of items A to E, see Minnesota Rules]

[For text of subparts 8 and 9, see Minnesota Rules]

Certificate of Emailing the Notice to Adopt Rules to the Rulemaking Mailing List

Minnesota Office of Emergency Medical Services

**Proposed Expedited Rules Relating to Variances for Certain Drugs for BLS Ambulances,
Minnesota Rules, Chapter 4690.8300; Revisor's ID No. 4914; OAH Docket No. 5-9063-40969**

I certify that on March 24, 2025, at least 33 days before the end of the comment period, in St. Paul, Ramsey County, Minnesota, I emailed the proposed rules by sending an electronic copy to all persons on the rulemaking list under Minnesota Statutes, section 14.14, subdivision 1a. Copies of the Notice and the email list are attached to this Certificate.]



Dylan Ferguson
OEMS Director

Ferguson, Dylan (EMSRB)

From: Ferguson, Dylan (EMSRB)
Sent: Monday, March 24, 2025 9:27 AM
To: Adam Shadiow; 'albert.tsai@state.mn.us'; 'andy@mnchiefs.org'; Ann Jenson; 'bbutton@mnsheiffs.org'; 'Buck McAlpin'; 'Caitlin Korpi'; 'Charles Lick'; 'csmith@sbfire.org'; 'chris.klein@woodburymn.gov'; Dan DeSmet; 'Don Hauge'; Weller, Eric M., EMT; 'wingrove.gary@mayo.edu'; 'john.swenson@ci.lino-lakes.mn.us'; 'ksipprell@mchsi.com'; 'Kjelsey Polzin'; Kristin J Mellstrom; 'marion.larson'; 'Kathleen.Lonergan@allina.com'; 'Margaret Vesel (mvesel@larkinhoffman.com)'; 'Mark Griffith'; 'Mark McCabe'; 'mnmetrochiefs@gmail.com'; 'Simpson, Nicholas'; 'patrick.lee@ridgewater.edu'; 'Pat Lilja MD'; 'Paul Nystrom, MD'; Peter Tanghe; 'hopservices@msn.com'; 'Ron Robinson'; 'director@greaternwems.com'; 'bj.jungmann@burnsvillemn.gov'; Samantha Hilker
Cc: Adam Shadiow; Alexander Catevenis; Ann Jenson; Don Hauge (don.hauge@seems.com); ghayes; Larson, Marion; Mark Griffith; Tom Vanderwall; Wcems@bvillemn.net; Abdouni, Samira (EMSRB); Brown, Shamika (EMSRB); Ferguson, Dylan (EMSRB); Forsberg, Pattie (EMSRB); Hilligoss, Linda B (She/Her/Hers) (EMSRB); Jacobs, Holly (EMSRB); Khang, Angel (She/Her/Hers) (EMSRB); Loomis, Nicole (EMSRB); Rogers, David (EMSRB); Simpson, Matthew (EMSRB); Soucheray, Charles (EMSRB); Still, Andrew (EMSRB); Burnett, Aaron M; Peter Tanghe; EMSC Anna Depompolo; MSFCA Andrew Stevens; NAEMSP Aaron Klassen; NE Gary Foley; Mike Wilcox; SE Anuradha Luke; SW Marc Conterato ; WC Timothy Studer
Subject: Required Notification of Rulemaking Activity
Attachments: State Register OEMS Rule Making 4690.8300.pdf

Good morning,

You are receiving this message as you have registered with the Emergency Medical Services Regulatory Board as an interested party, or if listed as a cc are part of our broader notification plans. As a part of this registration, we are required by Minnesota law to inform you whenever the agency undertakes certain administrative rulemaking activities.

The Office of Emergency Medical Services (OEMS) is presently accepting public comment, related to potential administrative rule changes pertaining to Basic Life Support Medication Variances. The proposed rule allows for variances for Intranasal glucagon, which was not previously permitted. It also updates the route of administration for epinephrine to intramuscular and allows a medical director to order intranasal epinephrine, although it must still be premeasured. Finally, it would allow for the administration of an anti-chlorogenic with a beta agonist for nebulizer/inhaler purposes.

Attached to this email is a copy of the Notice of Public Comment that was published in today's State Register.

Any questions or comments related to this rulemaking should be directed to

Dylan Ferguson
 OEMS Director
Dylan.Ferguson@state.mn.us

Professionally,

Dylan Ferguson

Director | OEMS

Office of Emergency Medical Services

335 Randolph Ave

St. Paul, MN, 55102

O: 651-201-2806

C: 651-502-1823

mn.gov/emsrp



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Certificate of Accuracy of the Mailing List

Minnesota Office of Emergency Medical Services

**Proposed Expedited Rules Relating to Variances for Certain Drugs for BLS Ambulances,
Minnesota Rules, Chapter 4690.8300; Revisor's ID No. 4914; OAH Docket No. 5-9063-40969**

I certify that the list of persons that have requested that their names be placed on the Office of Emergency Medical Services rulemaking list under Minnesota Statutes, section 14.14, subdivision 1a, is accurate, complete, and current as of March 24, 2025.

A handwritten signature in blue ink, appearing to read "Dylan Ferguson", is written over a horizontal line.

Dylan Ferguson
OEMS Director

Ferguson, Dylan (EMSRB)

From: Marc Conterato <borealismcs@gmail.com>
Sent: Monday, March 24, 2025 10:49 AM
To: Ferguson, Dylan (EMSRB)
Subject: Re: Required Notification of Rulemaking Activity

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Director Ferguson,
I am in favor of all of these proposed variances.

Marc Conterato

On Mon, Mar 24, 2025 at 9:27 AM Ferguson, Dylan (EMSRB) <Dylan.Ferguson@state.mn.us> wrote:

Good morning,

You are receiving this message as you have registered with the Emergency Medical Services Regulatory Board as an interested party, or if listed as a cc are part of our broader notification plans. As a part of this registration, we are required by Minnesota law to inform you whenever the agency undertakes certain administrative rulemaking activities.

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Attached to this email is a copy of the Notice of Public Comment that was published in today's State Register.

Any questions or comments related to this rulemaking should be directed to

Dylan Ferguson

OEMS Director

Dylan.Ferguson@state.mn.us

Professionally,

Dylan Ferguson

Director | OEMS

Office of Emergency Medical Services

[335 Randolph Ave](#)

[St. Paul, MN, 55102](#)

O: 651-201-2806

C: 651-502-1823

mn.gov/emsrp



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Ferguson, Dylan (EMSRB)

From: Edminson, Tom A <Tom.Edminson@Fairview.org>
Sent: Tuesday, March 25, 2025 9:08 AM
To: Ferguson, Dylan (EMSRB)
Subject: Rule Change

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Dylan, I ran the rule change proposal past our Medical Director and he has no concerns, however I thought I would share his comment with you for what its worth. "I suspect they meant to say "anti-cholinergic" instead of "anti-chlorogenic" with beta-agonist administration"

Thank you,

Tom

Tom Edminson | Chief of EMS

M Health Fairview | Emergency Medical Services

799 Reaney Ave | St. Paul, MN 55106

tom.edminson@fairview.org | www.mhealthfairview.org/EMS

Office: 651-232-1704 | Cell: 630-740-0107 | Assistant: Shawna McCloskey | Shawna.Mccloskey@fairview.org

Gender Pronouns: he/him

Employed by Fairview Health Services



Mission: One team striving to provide exceptional care for our customers by highly trained and engaged EMS professionals who serve our communities with integrity, pride and respect.

Vision: Be the organization customers want to work with and people want to work for.

03/24/25

REVISOR

AGW/MI

AR4914

1.1 **Office of Emergency Medical Services**

1.2 **Adopted Expedited Permanent Rule Relating to Modifying Specific Variances for**
1.3 **Certain Drugs**

1.4 **4690.8300 SPECIFIC VARIANCES.**

1.5 *[For text of subparts 1 to 6, see Minnesota Rules]*

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1.8 anticholinergic by metered dosed inhalation or nebulization, or both; premeasured epinephrine
1.9 by intranasal or intramuscular route; sublingual nitroglycerin; or premeasured intramuscular,
1.10 intranasal, or subcutaneous glucagon only if the licensee shows that:

1.11 *[For text of items A to E, see Minnesota Rules]*

1.12 *[For text of subparts 8 and 9, see Minnesota Rules]*

Order Adopting Rules

Minnesota Office of Emergency Medical Services

Adoption of Amended Rules Relating to Variances for Certain Drugs for BLS Ambulances, Minnesota Rules, 4690.8300 Subp. 7; Revisor's ID Number 4914, OAH Docket Number 5-9063-40969

BACKGROUND INFORMATION

1. The Office of Emergency Medical Services has complied with all notice and procedural requirements in Minnesota Statutes, chapter 14, Minnesota Rules, chapter 1400, and other applicable law pertaining to the adoption of expedited rules in accordance with Minnesota Statute 14.388.

2. The Office of Emergency Medical services received two written comments and submissions in support on the rules. Zero persons requested a public hearing. The Office of Emergency Medical Services received zero requests for notice of submission to the Office of Administrative Hearings.

3. There were no changes to the adopted rules from the proposed rules.

4. The rules as adopted are needed and reasonable to provide basic life support ambulance services under their physician medical director oversight, the option to administer additional emergency medications and to administer existing authorized medications by additional routes of administration.

ORDER

The above-named rules, in the form published in the State Register on March 24, 2025, are adopted under my authority in Statutes, section 144E.16 Subd. 4 (4) and 144E.011 Subd. 3 (1).

Date

Dylan Ferguson
OEMS Director