

1420.2150 EXPEDITED PROCEEDINGS.

Subpart 1. **Expedited hearings.** A hearing will be held on an expedited basis only where all required statutory conditions have been met. If the statutory requirements are not met, the matter will be placed on the regular hearing calendar. A hearing will also be held on an expedited basis concerning a request for prior approval of surgery or other treatment if the surgery or treatment is urgently needed and if the surgery or treatment has not already been provided at the time of hearing.

Subp. 2. Issues limited.

A. The hearing on an objection to discontinuance is limited to the issues raised in the notice of intention to discontinue benefits.

B. The hearing on a petition to discontinue benefits is limited to the issues raised in the petition to discontinue benefits.

C. The hearing on a request for formal hearing is limited to the issues raised on the medical or rehabilitation request or response.

D. The hearing on a claim granted hardship status is limited to the issues raised on the original claim.

E. The hearing on a failure to answer under Minnesota Statutes, section 176.331, is limited to the issues raised in the original petition.

F. The hearing on a request for approval of urgent medical treatment is limited to the treatment approval issues.

Subp. 3. **Expansion of issues.** Expansion of the issues in an expedited proceeding will only be allowed upon agreement of the parties and the office, except that an expedited proceeding may be consolidated with another expedited proceeding.

A. If the parties agree to expansion of the issues, the judge has 60 days rather than 30 days to issue a decision.

B. If the expansion of the issues will require substantially more discovery and preparation time by any party, the expansion will not be allowed unless all parties agree that the case may be removed from expedited status.

Subp. 4. **Incomplete pleadings.** If the office notifies a party that a pleading is incomplete, the incomplete pleading must be corrected within ten days of notification in order to maintain expedited status.

Subp. 5. **Intervention.** Once an expedited process is initiated or granted, the parties must, within ten days, notify any remaining potential intervenors that the proceeding is expedited and that a motion to intervene must be filed within 30 days from service of the intervention notice rather than the 60 days allowed under part 1415.1250.

Subp. 6. **Discovery.** In expedited proceedings, reasonable discovery is allowed provided it is conducted as expeditiously as possible and is completed before the date of hearing. A judge may require the parties to comply with curtailed time limits in order to ensure a timely hearing.

Statutory Authority: *MS s 14.51; 176.081; 176.155; 176.285; 176.312; 176.361; 176.83*

History: *29 SR 1446*

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