

**4695.1400 IMMEDIATE CONSIDERATION.**

Subpart 1. **Appointment of subcommittee.** When a questionnaire is received by the council, the chair of the council shall appoint a subcommittee of at least five members, none of whom shall have a conflict of interest, and shall name one of the members as subcommittee chair. Insofar as possible the subcommittee shall be broadly representative of the council.

Subp. 2. **Subcommittee procedures.** The subcommittee will meet to study the questionnaire as it addresses the factors contained in Minnesota Statutes, section 214.001, subdivision 2, and materials available to the subcommittee and to raise any questions members feel ought to be addressed either in subcommittee meetings or at the public forum. All written material related to the regulatory decision for an occupational group will be available as part of a public file retained at the Minnesota Department of Health and other locations the commissioner deems appropriate.

Subp. 3. **Public forum.** The subcommittee shall hold at least one public forum for the purpose of providing for public participation in the regulatory decision process, collecting information, raising and clarifying issues, and when possible, providing for the negotiation of differences. The first public forum shall be held within four months of the subcommittee appointments. The public forum shall be open to all persons.

Notification of the public forum shall be made in the following manner. All groups and persons identified by name as part of the occupational group by the questionnaire and through department study will be notified by mail. A news release will be sent out by the commissioner. Notice will be published in the department's monthly listing of health-related meetings. Notice will be sent to the public information offices of the Department of Corrections and the Department of Human Services for inclusion in any bulletins they use for public notification of meetings. Notice will be published in the State Register.

The conduct of the public forum(s) will be in accordance with procedures adopted by the council and available in writing to the public at the public forum. All interested persons will be given an opportunity to make a presentation although time limits may be imposed.

Subp. 4. **Subcommittee recommendations.** The subcommittee shall make recommendations to the council with respect to: the need for regulation, the type of regulation, whether any recommended credential be licensure or registration and the administrative authority for any recommended credential. The department shall also make separate recommendations which accompany those of the subcommittee. Each recommendation shall be accompanied by the rational/justification used in arriving at the decision. Regulation of an occupational group shall be based on the factors contained in Minnesota Statutes, section 214.001, subdivision 2.

Subp. 5. **Council action.** The council will review the subcommittee recommendation and approve or modify it as necessary. A council final report and recommendations, along with supporting documents, will be sent to the commissioner for action. The department report and recommendations, with supporting documents, will accompany the council report.

**Statutory Authority:** *MS s 214.13*

**History:** *L 1984 c 654 art 5 s 58; 17 SR 1279*

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