

**Department of Labor and Industry rulemaking docket**

**Contact person:** Contact the person listed for the rule in the table below for additional information about the rule. Questions may also be directed to the contact person listed below.

<b>Adopted Exempt Permanent Rules Relating to Workers' Compensation; 2016 Adjustment to Independent Medical Examination Fees in Minnesota Rules, part 5219.0500; 2016 Adjustments to Relative Value Fee Schedule Conversion Factors and Amendments to Rules Implementing the Workers' Compensation Relative Value Fee Schedule Tables in Minnesota Rules, Chapter 5221</b>	
<b>Subject matter</b>	<p>Minnesota Statutes § 176.136, subd. 1a, requires that the Department of Labor and Industry update the workers' compensation medical fee schedule relative value units according to the Medicare relative value tables every three years. These exempt rules are adopted under the procedures in Minn. Stat. §§ 14.386. The rules:</p> <ul style="list-style-type: none"> <li>• update the relative value units according to 2016 Medicare relative value units;</li> <li>• update the conversion factors so that, for services in both fee schedules, there is no difference between the overall payment in each category of service under the new schedule and the fee schedule most recently in effect (no additional adjustment to the conversion factors is made);</li> <li>• amend the workers' compensation rules to implement the updated relative value units; and</li> <li>• maintain, with no additional adjustment, the current maximum fees for independent medical examinations.</li> </ul>
<b>Contact person</b>	<p>Questions may be directed to Kate Berger, Office of General Counsel. Email: <a href="mailto:kate.berger@state.mn.us">kate.berger@state.mn.us</a> Phone: (651) 284-5295</p>
<b>Published notices and comment periods</b>	<p>A Notice of Incorporation by Reference of the April 2016 version of the Relative Value Tables established by the Centers for Medicare and Medicaid Services was published on page 143 of the <i>State Register</i> on Aug. 8, 2016. It is available at <a href="http://www.comm.media.state.mn.us/bookstore/stateregister/41_6.pdf">www.comm.media.state.mn.us/bookstore/stateregister/41_6.pdf</a>.</p> <p>Additional information about how to access the April release of the 2016 Relative Value Tables established by the Centers for Medicare and Medicaid Services is available at <a href="http://www.dli.mn.gov/WC/Pdf/steps2accessMedicareRVUtables_2016.pdf">www.dli.mn.gov/WC/Pdf/steps2accessMedicareRVUtables_2016.pdf</a>.</p> <p>Under the exempt rule process in Minn. Stat. § 14.386 (b), no Request for Comment or Notice of Intent to Adopt Rules is required to be published. However, the rules were submitted to the Office of Administrative Hearings for review.</p>
<b>Availability of rule draft(s)</b>	The adopted exempt rules are available at <a href="http://www.dli.mn.gov/Pdf/docket/5219_5221_rules.pdf">www.dli.mn.gov/Pdf/docket/5219_5221_rules.pdf</a> .
<b>Statement of need and reasonableness</b>	Not applicable because these are exempt rules.
<b>Requests for hearing; date and place of hearing</b>	Not applicable because these are exempt rules.
<b>Date the rule was filed with Secretary of State and the effective date of the rule as adopted</b>	The exempt rules were approved by the Office of Administrative Hearings on Aug. 30, 2016, and were filed with the Secretary of State on Sept. 2, 2016. The adopted rules were published in the <i>State Register</i> on Sept. 26, 2016, and are available at <a href="http://mn.gov/admin/assets/SR41_13%20-%20Accessible_tcm36-263473.pdf">http://mn.gov/admin/assets/SR41_13%20-%20Accessible_tcm36-263473.pdf</a> . The adopted rules are effective for services provided on or after Oct. 1, 2016.