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SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation, i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 30—Division of Regulation and Licensure  
Chapter 85—Intermediate Care and Skilled Nursing  
Facility**

**EMERGENCY AMENDMENT**

**19 CSR 30-85.022 Fire Safety Standards for New and Existing Intermediate Care and Skilled Nursing Facilities.** The department is amending sections (15) through (21).

*PURPOSE:* This emergency amendment establishes requirements for complete fire alarm systems, including “interconnected smoke detectors,” for skilled nursing facilities and intermediate care facilities that shall be enforceable on December 31, 2008, pursuant to section 198.074, RSMo Supp. 2007, and deletes provisions in the current rule that conflict with these requirements.

*EMERGENCY STATEMENT:* In 2006, ten (10) elderly or disabled persons and one (1) employee died in a fire at a long-term care facility in Anderson, Missouri. As a result, House Bills No. 952 and 674 were passed during the 2007 legislative session and went into effect August 28, 2007. The bills made changes to the sprinkler and fire alarm system requirements for long-term care facilities which were codified in a new section 198.074, RSMo. The bills included requirements for all long-term care facilities to have complete fire alarm systems, including smoke detectors interconnected with the fire alarm

system and automatic connections to a local fire department or dispatch service, so firefighters can arrive as quickly as possible. The Department of Health and Senior Services has filed this emergency amendment to provide guidance to facilities for the new complete fire alarm system requirements set out in the statute, section 198.074.7, RSMo, and enforceable on December 31, 2008. Even before the statute’s effective date, the department began drafting proposed amendments to its regulations to implement the anticipated statutory requirements. The proposed amendments were provided to the long-term care industry and other stakeholders for review, and a meeting with the long-term care industry and other stakeholders was held on October 12, 2007. The proposed amendments were submitted to the Board of Senior Services in November 2007 and were approved in December 2007. On February 8, 2008, in accordance with Executive Order 02-05, the proposed amendments were sent to other executive agencies for review thirty (30) days before the planned filing. Following the thirty (30)-day review period, the proposed amendments were finalized, and they were filed with the Joint Committee on Administrative Rules and the Office of the Secretary of State on March 13, 2008. The orders of rulemaking were filed on July 14, 2008. In the orders of rulemaking, the department changed the placement requirements for facility smoke detectors. On August 13, 2008, the department filed to withdraw the proposed amendments due to comments by the public that criticized the change and the Joint Committee on Administrative Rules’ disapproval of the proposed amendments. The department then met with industry representatives to renew discussions on revising the current rules. These meetings took place August 27 and 29, 2008. The department responded to the concerns of industry representatives raised at the meetings by revising the requirements for smoke detectors for this emergency amendment. Section 198.074, RSMo Supp. 2007, requires facilities to have a “complete fire alarm system” and establishes minimum requirements for what makes a system “complete.” The statutory minimum requirements are for all long-term care facilities to be equipped with a complete fire alarm system in compliance with National Fire Protection Association (NFPA) 101, Life Safety Code for Detection, Alarm, and Communication Systems as referenced in NFPA 72; further, a complete fire alarm system shall include, but not be limited to, interconnected smoke detectors throughout the facility; automatic transmission to the fire department, dispatching agency, or central monitoring company; manual pull stations at each required exit and attendant’s station; heat detectors; and audible and visual alarm indicators. However, the statute does not state which edition of the NFPA is to be followed. In an effort to assist intermediate care facilities and skilled nursing facilities with consistent guidance for installation of a complete fire alarm system so these facilities can meet the statutory requirements, this emergency amendment provides specific installation guidance (for spacing and placement) based on whether a facility has a sprinkler system, in accordance with the NFPA standards referenced in the statute, clarifies the applicable standards in NFPA 101, and clarifies that the 2000 edition of NFPA 101 and the 1999 edition of NFPA 72 contain the standards to be followed. Without these clarifications, facilities may be confused as to the applicable standards. The department believes that one hundred thirty (130) skilled nursing and intermediate care facilities will need to upgrade to a complete fire alarm system. This emergency amendment will make it easier for these facilities to understand the steps they must take in order to comply with section 198.074.7, RSMo Supp. 2007, before the statutory deadline of December 31, 2008. Further, the statutory requirements conflict with the requirements for complete fire alarm systems in the department’s existing rules. Long-term care facilities complying with the existing rules as of December 31, 2008, will be in violation of section 198.074, RSMo. This emergency amendment will give long-term care facilities the guidance needed to install a complete fire alarm system. In order to have new fire alarm system requirements in place in regulation that are consistent with

section 198.074.7, RSMo Supp. 2007, prior to the December 31, 2008, enforcement start date, and help avoid the occurrence of another tragedy like the Anderson fire, the department has determined that a compelling governmental interest exists, and an emergency amendment is necessary to protect the public health, safety, and welfare. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The department believes this emergency amendment is fair to all interested persons and parties under the circumstances. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment was filed on November 24, 2008, effective December 4, 2008, and expires on June 1, 2009.

**PUBLISHER'S NOTE:** The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

*[(15) Every existing licensed facility with plans approved after April 8, 1972 and prior to January 1, 1999, shall install and maintain a fire alarm system in compliance with the provisions of the 1967 Life Safety Code, NFPA 101. Facilities with plans approved on or after January 1, 1999, shall comply with the requirements of the 1996 NFPA 72, National Fire Alarm Code, incorporated by reference in this rule. I/II]*

#### **(15) Complete Fire Alarm Systems.**

(A) All National Fire Protection Association (NFPA) codes and standards cited in sections (15) through (21) of this rule: NFPA 101, 2000 edition; NFPA 13, 1999 edition; and NFPA 72, 1999 edition, are incorporated by reference and available for purchase from the National Fire Protection Agency, 1 Batterymarch Park, Quincy, MA 02269-9101; www.nfpa.org; by telephone at (617) 770-3000 or 1-800-344-3555. This rule does not incorporate any subsequent amendments or additions to the materials listed in this section.

(B) Facilities shall have a complete fire alarm system installed in accordance with NFPA 101, Section 18.3.4, 2000 edition. Facilities licensed prior to August 28, 2007, that do not meet this standard shall have until December 31, 2008, to comply. The complete fire alarm system shall automatically transmit to the fire department, dispatching agency, or central monitoring company. The complete fire alarm system shall include visual signals and audible alarms that can be heard throughout the building and a main panel that interconnects all alarm-activating devices and audible signals in accordance with NFPA 72, 1999 edition. At a minimum, the complete fire alarm system shall consist of manual pull stations at or near each attendant's station and each required exit and smoke detectors interconnected to the fire alarm system. Specific minimum requirements relating to the interconnected smoke detectors are found in section (16) of this rule. I/II

*[(16) Every existing licensed facility with plans approved before April 8, 1972 shall comply with the 1967 Life Safety Code or shall have an electrically-supervised fire alarm system with a manual pull station provided at, or near, each required exit and at, or near, each nurses' station; either batteries or a generator for emergency power; and alarm bells or other sounding devices that shall be audible in all areas of the building. II/III]*

#### **(16) Minimum Requirements for Interconnected Smoke Detectors.**

(A) Facilities that have a sprinkler system in accordance with NFPA 13, 1999 edition, shall have smoke detectors interconnected to the complete fire alarm system in all corridors and spaces open to the corridor. Smoke detectors shall be no more than thirty feet (30') apart with no point on the ceiling more than twenty-one feet (21') from a smoke detector. I/II

(B) Facilities that do not have a sprinkler system in accordance with NFPA 13, 1999 edition, shall have smoke detectors interconnected to the complete fire alarm system in all accessible spaces within the facility as required by NFPA 72, 1999 edition. Smoke detectors shall be no more than thirty feet (30') apart with no point on the ceiling more than twenty-one feet (21') from a smoke detector. Smoke detectors shall not be installed in areas where environmental influences may cause nuisance alarms. Such areas include, but are not limited to, kitchens, laundries, bathrooms, mechanical air handling rooms, and attic spaces. In these areas, heat detectors interconnected to the fire alarm system shall be installed. Bathrooms not exceeding fifty-five (55) square feet and clothes closets, linen closets, and pantries not exceeding twenty-four (24) square feet are exempt from having any detection device if the wall and ceilings are surfaced with limited-combustible or noncombustible material as defined in NFPA 101, 2000 edition. Concealed spaces of noncombustible or limited-combustible construction are not required to have detection devices. These spaces may have limited access but cannot be occupied or used for storage. I/II

(C) Accessible spaces shall include all rooms, halls, storage areas, basements, attics, lofts, closets, elevator shafts, enclosed stairways, dumbwaiter shafts, and chutes.

*[(17) In addition to the manual pull stations, at least one (1) of the following must also activate every fire alarm system: a flow alarm on a complete sprinkler system; smoke detectors located in every resident room or every fifty feet (50') of the corridor and at every smoke door; or a complete heat detector system.]*

(17) The complete fire alarm system shall be activated by all of the following: sprinkler system flow alarm, smoke detectors, heat detectors, manual pull stations, and activation of the rangehood extinguishment system. II/III

(18) The facility shall test and maintain every complete fire alarm system in accordance with NFPA 72, 1999 edition; testing shall occur at least once a month. I/II

(19) Facilities shall maintain a record of *[these]* the complete fire alarm system tests, inspections, and certifications required by this rule. III

#### **(20) Fault Correction and Fire Watch.**

(A) Upon its discovery, the facilities shall promptly correct any fault with the complete fire alarm system. I/II

(B) When a complete fire alarm system is to be out-of-service for more than four (4) hours in a twenty-four (24)-hour period, the facility shall immediately notify the department and the local fire authority and implement an approved fire watch in accordance with NFPA 101, 2000 edition, until the fire alarm system has returned to full service. I/II

*[(21) A fire alarm service representative or electrical contractor shall inspect every alarm system at least once annually. This inspector shall test and certify in writing to the division that the system is operating in accordance with the National Fire Alarm Code, NFPA 72. Facilities with plans approved on or before December 31, 1998, shall comply with the requirements of NFPA 72 referenced in the 1967*

*Life Safety Code, and facilities with plans approved on or after January 1, 1999, shall comply with the requirements of the 1996 NFPA 72, National Fire Alarm Code, incorporated by reference in this rule. II/III*

**(21) All facilities shall have inspections and written certifications of the complete fire alarm system completed by an approved qualified service representative in accordance with NFPA 72, 1999 edition, at least annually. I/II**

*AUTHORITY: sections 198.074 and 198.079, RSMo [1994] Supp. 2007. This rule originally filed as 13 CSR 15-14.022. Original rule filed July 13, 1983, effective Oct. 13, 1983. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Nov. 24, 2008, effective Dec. 4, 2008, expires June 1, 2009. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES  
Division 30—Division of Regulation and Licensure  
Chapter 86—Residential Care Facilities and Assisted Living Facilities**

**EMERGENCY AMENDMENT**

**19 CSR 30-86.022 Fire Safety Standards for Residential Care Facilities and Assisted Living Facilities.** The department is amending section (8) and deleting section (16).

*PURPOSE: This emergency amendment establishes requirements for complete fire alarm systems, including “interconnected smoke detectors,” for residential care facilities and assisted living facilities that shall be enforceable on December 31, 2008, pursuant to section 198.074, RSMo Supp. 2007, and deletes provisions in the current rule that conflict with these requirements.*

*EMERGENCY STATEMENT: In 2006, ten (10) elderly or disabled persons and one (1) employee died in a fire at a long-term care facility in Anderson, Missouri. As a result, House Bills No. 952 and 674 were passed during the 2007 legislative session and went into effect August 28, 2007. The bills made changes to the sprinkler and fire alarm system requirements for long-term care facilities which were codified in a new section 198.074, RSMo. The bills included requirements for all long-term care facilities to have complete fire alarm systems, including smoke detectors interconnected with the fire alarm system and automatic connections to a local fire department or dispatch service, so firefighters can arrive as quickly as possible. The Department of Health and Senior Services has filed this emergency amendment to provide guidance to facilities for the new complete fire alarm system requirements set out in the statute, section 198.074.7, RSMo, and enforceable on December 31, 2008. Even before the statute’s effective date, the department began drafting proposed amendments to its regulations to implement the anticipated statutory requirements. The proposed amendments were provided to the long-term care industry and other stakeholders for review, and a meeting with the long-term care industry and other stakeholders was held on October 12, 2007. The proposed amendments were submitted to the Board of Senior Services in November 2007 and were approved in December 2007. On February 8, 2008, in accordance with Executive Order 02-05, the proposed amendments were sent to other executive agencies for review thirty (30) days before the planned filing. Following the thirty (30)-day review period, the proposed amendments were finalized, and they were filed with the Joint Committee on Administrative Rules and the Office of the Secretary of State on March 13, 2008. The orders of rulemaking were filed on July 14, 2008. In the orders of rulemaking, the department changed the place-*

*ment requirements for facility smoke detectors. On August 13, 2008, the department filed to withdraw the proposed amendments due to comments by the public that criticized the change and the Joint Committee on Administrative Rules’ disapproval of the proposed amendments. The department then met with industry representatives to renew discussions on revising the current rules. These meetings took place August 27 and 29, 2008. The department responded to the concerns of industry representatives raised at the meetings by revising the requirements for smoke detectors for this emergency amendment. Section 198.074, RSMo Supp. 2007, requires facilities to have a “complete fire alarm system” and establishes minimum requirements for what makes a system “complete.” The statutory minimum requirements are for all long-term care facilities to be equipped with a complete fire alarm system in compliance with National Fire Protection Association (NFPA) 101, Life Safety Code for Detection, Alarm, and Communication Systems as referenced in NFPA 72; further, a complete fire alarm system shall include, but not be limited to, interconnected smoke detectors throughout the facility; automatic transmission to the fire department, dispatching agency, or central monitoring company; manual pull stations at each required exit and attendant’s station; heat detectors; and audible and visual alarm indicators. However, the statute does not state which edition of the NFPA is to be followed. In an effort to assist residential care facilities and assisted living facilities with consistent guidance for installation of a complete fire alarm system so these facilities can meet the statutory requirements, this emergency amendment provides specific installation guidance (for spacing and placement) based on whether a facility has a sprinkler system, in accordance with the NFPA standards referenced in the statute, clarifies the applicable standards in NFPA 101, and clarifies that the 2000 edition of NFPA 101 and the 1999 edition of NFPA 72 contain the standards to be followed. Without these clarifications, facilities may be confused as to the applicable standards. The department believes that six hundred twelve (612) residential care and assisted living facilities will need to upgrade to a complete fire alarm system. This emergency amendment will make it easier for these facilities to understand the steps they must take in order to comply with section 198.074.7, RSMo Supp. 2007, before the statutory deadline of December 31, 2008. Further, the statutory requirements conflict with the requirements for complete fire alarm systems in the department’s existing rules. Long-term care facilities complying with the existing rules as of December 31, 2008, will be in violation of section 198.074, RSMo. This emergency amendment will give long-term care facilities the guidance needed to install a complete fire alarm system. In order to have new fire alarm system requirements in place in regulation that are consistent with section 198.074.7, RSMo Supp. 2007, prior to the December 31, 2008, enforcement start date, and help avoid the occurrence of another tragedy like the Anderson fire, the department has determined that a compelling governmental interest exists, and an emergency amendment is necessary to protect the public health, safety, and welfare. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The department believes this emergency amendment is fair to all interested persons and parties under the circumstances. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment was filed on November 24, 2008, effective December 4, 2008, and expires on June 1, 2009.*

**(8) Complete Fire Alarm Systems.**

(A) All facilities shall have inspections and written certifications of the **complete** fire alarm system completed by an approved qualified service representative in accordance with [the 1996] NFPA 72, [National Fire Alarm Code] **1999 edition**, at least annually. II/III

[(B) All residential care facilities licensed for more than twenty (20) residents shall be equipped with a complete fire alarm system in accordance with the applicable edition of NFPA 72. I/II

(C) Facilities that are required to comply with the requirements of 19 CSR 30-86.043 shall be equipped with a complete fire alarm system in accordance with the applicable edition of NFPA 72. I/II

(D) All residential care facilities and assisted living facilities with more than one (1) structure on the premises housing residents shall be equipped with a complete fire alarm system in accordance with the applicable edition of NFPA 72. I/II

(E) A complete fire alarm system will not be required for facilities licensed prior to July 11, 1980, if the facility has a sprinkler system installed and maintained in accordance with the 1976 NFPA 13, Standard for the Installation of Sprinkler Systems. I/II

(F) Residential care facilities licensed for twenty (20) or fewer residents shall be equipped with a complete automatic fire alarm system or individual home-type detectors. The individual home-type detectors shall be UL-approved battery-powered detectors which sense smoke and automatically sound an alarm which can be heard throughout the facility. If individual home-type detectors are being used, there shall be one (1) detector per resident-use room, in corridors and stairwells and in any hazardous area other than the kitchen where either a smoke or heat detector may be used. I/II

(G) The fire alarm system shall be an electrically supervised system with standby emergency power installed and maintained in accordance with the 1996 NFPA 72. Those facilities that are required to comply with the requirements of 19 CSR 30-86.042 and 19 CSR 30-86.043, with plans approved prior to October 1, 2000, shall comply with the provision of the 1975 edition of NFPA 72A, Local Protective Signaling Systems. Those facilities with plans approved on or after October 1, 2000, shall comply with the 1996 edition of NFPA 72. I/III

(B) Facilities shall have a complete fire alarm system installed in accordance with NFPA 101, Section 18.3.4, 2000 edition. Facilities licensed prior to August 28, 2007, that do not meet this standard shall have until December 31, 2008, to comply. The complete fire alarm system shall automatically transmit to the fire department, dispatching agency, or central monitoring company. The complete fire alarm system shall include visual signals and audible alarms that can be heard throughout the building and a main panel that interconnects all alarm-activating devices and audible signals. At a minimum, the complete fire alarm system shall consist of manual pull stations at or near each attendant's station and each required exit in accordance with NFPA 72, 1999 edition, and the following I/II:

1. For facilities with a sprinkler system in accordance with NFPA 13, 1999 edition, smoke detectors interconnected to the complete fire alarm system shall be installed in all corridors and spaces open to the corridor. Smoke detectors shall be no more than thirty feet (30') apart with no point on the ceiling more than twenty-one feet (21') from a smoke detector. I/II

2. For facilities with a sprinkler system in accordance with NFPA 13R, 1999 edition, smoke detectors interconnected to the complete fire alarm system shall be installed in corridors, spaces open to the corridor, and in accessible spaces, as required by NFPA 72, 1999 edition, not protected by the sprinkler system. Smoke detectors shall be no more than thirty feet (30') apart with no point on the ceiling more than twenty-one feet (21') from a smoke detector. Smoke detectors shall not be installed in areas where environmental influences may cause nuisance alarms. Such areas include, but are not limited to, kitchens, laundries, bathrooms, mechanical air handling rooms, and attic spaces. In these areas, heat detectors interconnected to the fire alarm system shall be installed. Bathrooms not exceeding fifty-five (55) square feet and clothes closets, linen closets, and pantries not exceeding twenty-four (24) square feet are exempt from having

any detection device if the wall and ceilings are surfaced with limited-combustible or noncombustible material as defined in NFPA 101, 2000 edition. Concealed spaces of noncombustible or limited-combustible construction are not required to have detection devices. These spaces may have limited access but cannot be occupied or used for storage. I/II

3. For facilities without an approved sprinkler system, smoke detectors interconnected to the complete fire alarm system shall be installed in all accessible spaces, as required by NFPA 72, 1999 edition, within the facility. Smoke detectors shall be no more than thirty feet (30') apart with no point on the ceiling more than twenty-one feet (21') from a smoke detector. Smoke detectors shall not be installed in areas where environmental influences may cause nuisance alarms. Such areas include, but are not limited to, kitchens, laundries, bathrooms, mechanical air handling rooms, and attic spaces. In these areas, heat detectors interconnected to the fire alarm system shall be installed. Bathrooms not exceeding fifty-five (55) square feet and clothes closets, linen closets, and pantries not exceeding twenty-four (24) square feet are exempt from having any detection device if the wall and ceilings are surfaced with limited-combustible or noncombustible material as defined in NFPA 101, 2000 edition. Concealed spaces of noncombustible or limited-combustible construction are not required to have detection devices. These spaces may have limited access but cannot be occupied or used for storage. I/II

4. Accessible spaces shall include all rooms, halls, storage areas, basements, attics, lofts, closets, elevator shafts, enclosed stairways, dumbwaiter shafts, and chutes.

[(H) At a minimum, the fire alarm system shall consist of a manual pull station at or near each attendant's station and each required exit, smoke detectors located no more than thirty feet (30') apart in the corridors or passageways with no point in the corridor or passageway more than fifteen feet (15') from a detector and no point in the building more than thirty feet (30') from a detector. In facilities licensed prior to November 13, 1980, smoke detectors located every fifty feet (50') will be acceptable. The smoke detectors will not be required in facilities licensed prior to November 13, 1980, if a complete heat detector system, interconnected to the fire alarm system, is provided in every space throughout the facility. It must include audible signal(s) which can be heard throughout the building and a main panel that interconnects all alarm-activating devices and audible signals. I/II]

(C) The complete fire alarm system shall be activated by all of the following: sprinkler system flow alarm, smoke detectors, heat detectors, manual pull stations, and activation of the rangehood extinguishment system. II/III

[(I) Every fire alarm system shall be tested at least once a month, and a record of all tests shall be maintained. II/III]

(D) Facilities shall test and maintain every complete fire alarm system in accordance with NFPA 72, 1999 edition; testing shall occur at least once a month. I/II

[(J)/(E) Any fault with any part of the complete fire alarm system shall be corrected [immediately] promptly upon discovery. I/II

[(K)/(F) When a complete fire alarm system is to be out of service for more than four (4) hours in a twenty-four (24)-hour period, the facility shall immediately notify the department and local fire authority and implement an approved fire watch in accordance with NFPA 101, 2000 edition, until the complete fire alarm system has been returned to full service. I/II

[(L) Detectors shall be tested monthly and batteries shall be changed as needed. A record shall be kept of the dates of testing and the changing of batteries. II/III]

(M) Any fault with any detector shall be corrected immediately upon discovery. I/II

(N) Refer to section (16) of this rule for additional fire alarm standards for those assisted living facilities which provide



*services to residents with a physical, cognitive, or other impairment that prevents the individual from safely evacuating the facility with minimal assistance.]*

(G) Facilities shall maintain a record of the complete fire alarm tests, inspections, and certifications required by this rule. III

(H) All National Fire Protection Association (NFPA) codes and standards cited in this section: NFPA 101, 2000 edition; NFPA 13, 1999 edition; NFPA 13R, 1999 edition; and NFPA 72, 1999 edition, are incorporated by reference in this rule and are available for purchase from the National Fire Protection Agency, 1 Batterymarch Park, Quincy, MA 02269-9101; www.nfpa.org; by telephone at (617) 770-3000 or 1-800-344-3555. This section does not incorporate any subsequent amendments or additions to the materials listed above.

(I) Until December 31, 2008, or the date the complete fire alarm system required by this section is operational, whichever occurs first, facilities that do not have a complete fire alarm system installed in accordance with subsection (8)(A) of this rule as of August 28, 2007, shall continue to meet the following standards as applicable to that facility:

1. Facilities that are required to comply with the requirements of 19 CSR 30-86.043 shall be equipped with a complete fire alarm system in accordance with the applicable edition of NFPA 72. I/II

2. All residential care facilities and assisted living facilities with more than one (1) structure on the premises housing residents shall be equipped with a complete fire alarm system in accordance with the applicable edition of NFPA 72. I/II

3. A complete fire alarm system will not be required for facilities licensed prior to July 11, 1980, if the facility has a sprinkler system installed and maintained in accordance with the 1976 NFPA 13, Standard for the Installation of Sprinkler Systems. I/II

4. Residential care facilities licensed for twenty (20) or fewer residents shall be equipped with a complete automatic fire alarm system or individual home-type detectors. The individual home-type detectors shall be UL-approved battery-powered detectors which sense smoke and automatically sound an alarm which can be heard throughout the facility. If individual home-type detectors are being used, there shall be one (1) detector per resident-use room, in corridors and stairwells, and in any hazardous area other than the kitchen where either a smoke or heat detector may be used. I/II

5. The complete automatic fire alarm system referenced in paragraph (8)(I)4. of this rule shall be an electrically supervised system with standby emergency power installed and maintained in accordance with the 1996 NFPA 72. Those facilities that are required to comply with the requirements of 19 CSR 30-86.042 and 19 CSR 30-86.043, with plans approved prior to October 1, 2000, shall comply with the provision of the 1975 edition of NFPA 72A, Local Protective Signaling Systems. Those facilities with plans approved on or after October 1, 2000, shall comply with the 1996 edition of NFPA 72. I/II

*[(16) Additional fire safety standards for assisted living facilities which provide services to residents with a physical, cognitive, or other impairment that prevents the individual from safely evacuating the facility with minimal assistance. All such facilities must comply with the following requirements:*

*(A) The facility shall be equipped with a complete electrically supervised fire alarm system in accordance with the provisions of subsection 13-3.4 of the 1997 Life Safety Code for Existing Health Care Occupancy, incorporated herein by reference and available from the National Fire Protection Agency, 1 Batterymarch Park, Quincy, MA 02269-9101. This rule does not incorporate any subsequent amendments or additions to these materials. At a minimum the system shall include smoke detectors located no more than thir-*

*ty feet (30') apart in corridors with no point in the corridor located more than fifteen feet (15') from a smoke detector. The fire alarm system shall be equipped to automatically transmit an alarm to the fire department; I/II*

*(B) Each floor used for resident bedrooms shall be divided into at least two (2) smoke sections by one (1)-hour rated smoke stop partitions. No smoke section shall exceed one hundred fifty feet (150') in length. At a minimum, openings in smoke stop partitions shall be protected by one and three-fourths inches (1 3/4")-thick solid core wood doors or labeled, fire rated doors with an equivalent or greater fire rating. The doors shall be equipped with closures and if held open, shall be equipped with magnetic hold-open devices that automatically release upon activation of the fire alarm system. Any duct passing through this smoke wall shall be equipped with automatic resetting smoke dampers that are activated by the fire alarm system. Smoke dampers are not required where both smoke sections are protected throughout the entire section by quick response sprinklers on an NFPA 13 system. Smoke partitions shall extend from outside wall-to-outside wall and from floor-to-floor or floor-to-roof deck; II and*

*(C) In addition to the requirements at subsections (4)(A)1. and 2. of this rule, all facilities shall be equipped with a complete automatic sprinkler system installed and maintained in accordance with the following:*

*1. The 1996 edition of the National Fire Protection Association (NFPA) 13, Standard for the Installation of Sprinkler Systems (1996 edition of NFPA 13); or*

*2. The 1996 edition of NFPA 13R, Sprinkler Systems in Residential Occupancies Up To and Including Four Stories in Height (1996 edition of NFPA 13R), which are incorporated herein by reference and available from the National Fire Protection Agency, 1 Batterymarch Park, Quincy, MA 02269-9101. This rule does not incorporate any subsequent amendments or additions to these materials; and*

*3. Single story facilities must comply with either NFPA 13 or NFPA 13R;*

*4. Multistory facilities must comply with NFPA 13. I/III*

*AUTHORITY: sections 198.073, 198.074, and 198.076, RSMo [2000] Supp. 2007 [and 198.005, RSMo Supp. 2006]. This rule originally filed as 13 CSR 15-15.022. Original rule filed July 13, 1983, effective Oct. 13, 1983. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Nov. 24, 2008, effective Dec. 4, 2008, expires June 1, 2009. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2007.

**EXECUTIVE ORDER  
08-38**

WHEREAS, Executive Order 03-17 creates the Governor’s Committee to End Chronic Homelessness; and

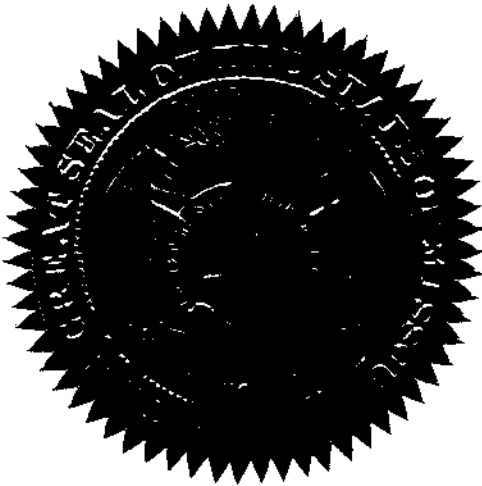
WHEREAS, chronic homelessness continues to be an issue of significant concern; and

WHEREAS, the Salvation Army is an organization that has contributed mightily to the fight against homelessness and has resources and expertise that could be used even more effectively on the Governor’s Committee to End Chronic Homelessness.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, amend Executive Order 03-17 to revise the composition of the committee to include the Divisional Commander of the Midland Division of the Salvation Army or his or her designee.

All other activities, duties, and responsibilities of the Governor’s Committee to End Chronic Homelessness shall remain as set out in Executive Order 03-17.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 25<sup>th</sup> day of November, 2008.



**Matt Blunt  
Governor**

**ATTEST:**

**Robin Carnahan  
Secretary of State**

**EXECUTIVE ORDER  
08-39**

TO ALL DEPARTMENTS AND AGENCIES:

This is to advise that state offices located in Cole County will be closed on Monday, January 12, 2009, for the inauguration.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 3<sup>rd</sup> day of December, 2008.

A handwritten signature in black ink that reads "Matt Blunt". The signature is written in a cursive style with a horizontal line underneath it.

**Matt Blunt  
Governor**

**ATTEST:**

A handwritten signature in black ink that reads "Robin Carnahan". The signature is written in a cursive style with a horizontal line underneath it.

**Robin Carnahan  
Secretary of State**