EMERGENCY AMENDMENT

20 CSR 2015-1.030 Fees. The advisory committee is proposing to amend section (3).

PURPOSE: The advisory committee is statutorily obligated to enforce and administer the provisions of sections 324.475–324.499, RSMo. Pursuant to section 324.481, RSMo, the Missouri State Board of Chiropractic Examiners, upon recommendation of the Acupuncturist Advisory Committee, shall set fees necessary to administer the provisions of sections 324.475 to 324.499, RSMo. The advisory committee is proposing to decrease the acupuncturist renewal fee.

EMERGENCY STATEMENT: The Missouri State Board of Chiropractic Examiners, upon the recommendation of the Acupuncturist Advisory Committee, is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of sections 324.475–324.499, RSMo. Pursuant to section 324.481, RSMo, the advisory committee shall by regulation set the amount of fees authorized by sections 324.475–324.499, RSMo, to produce revenue which shall not substantially exceed the cost and expense of administering the provisions of sections 324.475–324.499. Therefore, the board upon recommendation by the advisory committee is proposing to decrease the biennial renewal fee from two hundred dollars ($200) to one hundred twenty-five dollars ($125) for the 2015 renewal period.

The acupuncturist license expires on June 30, 2015. The renewal notices for acupuncturists will be mailed April 1, 2015 and any acupuncturist wishing to reinstate or renew their license beginning April 1, 2015 will be assessed the decreased renewal fee. Without this emergency amendment the decreased fee requirement will not be effective in time for the renewal notice and the advisory committee will collect more revenue than it is statutorily authorized to collect.

The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. In developing this emergency amendment, the committee has determined that the fee decrease is necessary for the 2015 renewal period to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 324.481.6, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The committee believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed March 16, 2015, becomes effective March 26, 2015, and expires September 21, 2015.

(3) The fees are established as follows:
(B) Acupuncturist Biennial Renewal Fee $200.00/ $125