



Rules of
Department of Social Services
Division 10—Division of Finance and Administrative
Services
Chapter 4—Abortions

Title	Page
13 CSR 10-4.010 Prohibition Against Expenditure of Appropriated Funds for Abortion Facilities	3



**Title 13—DEPARTMENT OF
SOCIAL SERVICES**

**Division 10—Division of Finance and
Administrative Services**

Chapter 4—Abortions

**13 CSR 10-4.010 Prohibition Against
Expenditure of Appropriated Funds for
Abortion Facilities**

PURPOSE: This rule supplements the requirements of HB 2011, passed by the 99th General Assembly, effective for State Fiscal Year 2019 and prescribes requirements for the Department of Social Services, individuals, organizations, or other entities receiving funding or appropriated funds from the General Assembly.

(1) Definitions.

(A) “Abortion” shall be defined pursuant to section 188.015(1), RSMo.

(B) “Abortion facility” shall be defined pursuant to section 188.015(2), RSMo.

(C) “Affiliate of an abortion facility.” Factors to be considered in making this determination include, but are not limited to: an organization or location that shares, or has in common, any resource with an abortion facility including, but not limited to: operating funds, bank accounts, facilities, employees, service contracts, equipment, mailing lists, trademarks, copyrights, service marks, brands, trade names, financial reporting, marketing, advertising, websites, information and education materials, or any other assets.

(D) “Associate of an abortion facility.” Factors to be considered in making this determination include, but are not limited to: an organization or location that shares an organizational structure with an abortion facility including, but not limited to: parent, subsidiary, or sister organizations; or an organization or location with common or interlocking management, ownership, or governance with an abortion facility; or an organization or location with the public appearance of association with an abortion facility, such as a shared name, or part of a name; an alliance or federation with an organization or location that is commonly identified as an advocate for abortion; or that holds itself out, has held itself out, or refers to it itself publicly in a way that demonstrates a connection to an organization or location that is commonly identified as an abortion facility.

(E) “Counsels women to have an abortion” means encouraging a patient to have an abortion or referring a patient for an abortion when such abortion does not meet an exception required by federal law. Factors of abortion counseling include, but are not limited

to: providing a patient with information encouraging an abortion, or directing a patient to an abortion facility when such abortion would not meet an exception required by federal law.

(F) “Department” means the Missouri Department of Social Services and all of its divisions, units, and programs.

(G) “Program” means any project, service, or activity administered by the department.

(2) The department shall not expend any funds on any program that performs abortions or provides abortion counseling other than the exceptions required by federal law.

(3) The department shall not expend any funds to an abortion facility or an affiliate or associate thereof as determined by the department in accordance with this regulation.

AUTHORITY: sections 11.715 and 11.800, HB 2011, First Regular Session, Ninety-ninth General Assembly, 2018, and sections 208.153, 208.201, and 660.017, RSMo 2016. Emergency rule filed July 5, 2018, effective July 15, 2018, expired Feb. 28, 2019. Original rule filed July 5, 2018, effective Feb. 28, 2019.*

**Original authority: 11.715, HB 2011, First Regular Session, Ninety-ninth General Assembly, 2018; 11.800, HB 2011, First Regular Session, Ninety-ninth General Assembly, 2018; 208.153, RSMo 1967, amended 1967, 1973, 1989, 1990, 1991, 2007, 2012; 208.201, RSMo 1987, amended 2007; and 660.017, RSMo 1993, amended 1995.*