
Emergency Rules

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2150—State Board of Registration for the
Healing Arts
Chapter 2—Licensing of Physicians and Surgeons**

*filed Sept. 1, 2016, effective Sept. 11, 2016, expires March 9, 2017.
An emergency rescission and a proposed rescission covering this
same material will be published in the October 3, 2016, issue of the
Missouri Register.*

EMERGENCY RESCISSION

20 CSR 2150-2.080 Fees. This rule established the various fees which the State Board of Registration for the Healing Arts was authorized to collect in administering Chapter 334, RSMo. Under the provisions of Chapter 334, RSMo, the board was directed to set by rule the amount of the fees which the chapter authorized not to exceed the cost and expense of administering the chapter.

PURPOSE: The State Board of Registration for the Healing Arts is statutorily obligated to enforce and administer the provisions of sections 334.002–334.749, RSMo. Pursuant to section 334.090, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 334.002–334.749, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 334.002–334.749, RSMo. This rescission and readoption is also being done to preserve consistency and afford licensees more user-friendly access to information.

EMERGENCY STATEMENT: The State Board of Registration for the Healing Arts is statutorily obligated to enforce and administer the provisions of sections 334.002–334.749, RSMo. Pursuant to section 334.090, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 334.002–334.749, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 334.002–334.749, RSMo. Based on the board's five- (5-) year projections, the board finds it necessary to reduce fees. The board is proposing to collectively decrease the fees in section (1) by approximately thirty percent (30%) to maintain board's fund at a level that is authorized by section 334.090, RSMo.

Without this emergency rescission and readoption the decreased fee requirement will not be effective in time for the renewal notice and the board will collect more revenue than it is statutorily authorized to collect.

*The scope of this emergency rescission 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 rescission, the board has determined that the fee decrease is necessary beginning October 1, 2016 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 334.090.2, 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 board believes this emergency rescission to be fair to all interested persons and parties under the circumstances. This emergency rescission was filed September 1, 2016, becomes effective September 11, 2016, and expires March 9, 2017.*

*AUTHORITY: sections 334.090.2 and 334.125, RSMo 2000. This rule originally filed as 4 CSR 150-2.080. Emergency rule filed July 1, 1981, effective July 11, 1981, expired Nov. 8, 1981. Original rule filed July 14, 1981, effective Oct. 11, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency rescission*