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# EMERGENCY RULE

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## Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES

### Division 30 – Division of Regulation and Licensure Chapter 40 – Comprehensive Emergency Medical Services Systems Regulations

#### EMERGENCY AMENDMENT

**19 CSR 30-40.710 Definitions and Abbreviations Relating to Stroke Centers.** The department is amending section (1).

*PURPOSE: This amendment adds virtual reviews to the definitions for stroke centers.*

*EMERGENCY STATEMENT: This emergency amendment adds virtual reviews to the definitions for stroke centers. This amendment was prompted by the passage of House Bill 2331 that passed during the 2022 legislative session. House Bill 2331 made changes to section 190.241, RSMo and allows the department to conduct virtual reviews rather than only on-site reviews of stroke centers. This emergency amendment is necessary in order to make this rule consistent with the changes made in House Bill 2331 that became effective on August 28, 2022. This emergency amendment is in the interest of both the hospitals and the department. The emergency amendment is necessary for the department to conduct virtual reviews instead of only on-site reviews. Due to complications caused by COVID-19, the department is having a difficult time getting qualified contractors to review the stroke centers and hospitals are still being challenged with COVID-19 in their hospitals. National certifying bodies began using virtual reviews during the COVID-19 pandemic and these virtual reviews have proven to be a solution to conducting reviews while COVID-19 is still an issue for out-of-state-qualified contractors traveling to these reviews and for hospitals having to handle a review team in their hospitals. As a result, the department finds a compelling governmental interest, which requires this emergency action. 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. This emergency amendment was filed November 21, 2022, becomes effective December 7, 2022, and expires June 4, 2023.*

(1) As used in 19 CSR 30-40.720 and 19 CSR 30-40.730, the following terms shall mean:

**(XX) Virtual review- a type of review conducted through the use of secure virtual video and audio conferencing and secure file transfers in order to determine compliance with the rules of this chapter.**

*AUTHORITY: sections 192.006 and 190.185, RSMo [2000] 2016, and section[s 190.185 and] 190.241, RSMo Supp. [2012] 2022. Original rule filed Nov. 15, 2012, effective June 30, 2013. Emergency amendment filed Nov. 21, 2022, effective Dec. 7, 2022, expires June 4, 2023. An emergency and a proposed amendment covering this same material will be published in the Jan. 3, 2023, issue of the *Missouri Register*.*

*PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.*

*PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.*