
Emergency Rules

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2230—State Board of Podiatric Medicine
Chapter 2—General Rules**

An emergency amendment covering this same material will be published in the December 15, 2015, issue of the Missouri Register.

EMERGENCY AMENDMENT

20 CSR 2230-2.070 Fees. The board is proposing to add sections (4) and (5).

PURPOSE: The State Board of Podiatric Medicine is statutorily obligated to enforce and administer the provisions of Chapter 330, RSMo. Pursuant to section 330.140, RSMo, the board shall set the amount of the fees which the chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the provisions of Chapter 330, RSMo.

EMERGENCY STATEMENT: The State Board of Podiatric Medicine is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of Chapter 330, RSMo. Pursuant to section 330.140, RSMo, the board shall set the amount of the fees which the chapter authorizes and requires by rules and regulations. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the provisions of Chapter 330, RSMo. Therefore, the board is proposing to decrease the biennial renewal fee from three hundred-fifty dollars (\$350) to five dollars (\$5) and the inactive biennial renewal fee from two hundred dollars (\$200) to five dollars (\$5) for the 2016 renewal period.

Without this emergency amendment 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 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 board has determined that the fee decreases are necessary 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 330.150.2, 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 amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed November 10, 2015, becomes effective November 20, 2015, and expires May 17, 2016.

(4) The following renewal fees shall be effective from December 1, 2015 to March 31, 2016

(A) Biennial Renewal Fee **\$5**

(5) The following renewal fees shall be effective from December 1, 2015 to March 31, 2016

(A) Inactive Biennial Renewal Fee **\$5**

AUTHORITY: sections 330.095 and 330.140, RSMo 2000. This rule originally filed as 4 CSR 230-2.070. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 11, 1981. Original rule filed June 30, 1981, effective Nov. 12, 1981. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Nov. 10, 2015, effective Nov. 20, 2015, expires May 17, 2016.