Volume 42, Number 11 Pages 857–900 June 1, 2017

### SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



# JOHN R. ASHCROFT SECRETARY OF STATE

# MISSOURI REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the Missouri Register. Orders of Rulemaking appearing in the Missouri Register will be published in the Code of State Regulations and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at http://www.sos.mo.gov/adrules/pubsched.asp

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### **HOW TO CITE RULES AND RSMo**

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the Code of State Regulations in this system—

 Title
 Code of State Regulations
 Division
 Chapter
 Rule

 1
 CSR
 10 1.
 010

 Department
 Agency, Division
 General area regulated
 Specific area regulated

They are properly cited by using the full citation, i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the United States Constitutions; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

Il emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

### Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 4—General Rules

### **EMERGENCY AMENDMENT**

**20 CSR 2200-4.020 Requirements for Licensure**. The board is amending sections (1) and (5).

PURPOSE: This amendment is to recognize the Air Force Basic Medical Technician Corpsman Program 4N051 – 5 Skill Level and above to meet educational standards/academic preparation for licensure as a practical nurse.

EMERGENCY STATEMENT: Section 536.025, RSMo, sets forth the standards for an emergency rule, which are strict. However, one (1) of the criteria is that the agency must find that the rule is necessary to preserve a compelling governmental interest that requires an early effective date. The language contained in section 324.007, RSMo, requires the Missouri State Board of Nursing to accept education, training, or service completed by an individual who is a member of the United States Armed Forces or Reserves, the National Guard of any state, the military reserves of any state, or the naval militia of any state. The Missouri State Board of Nursing determined that this emergency rule is necessary for military service members with prior military education, training, and service to gain timely authorization to

practice nursing. In late 2016, official evidence became available that the Air Force - BMTCP - 4N051 program beginning at 5-skill level meets standards for practical nurse education; this rule change would provide academic eligibility for military service members that have completed the Air Force BMTCP – 4N051 program with 5-skill level or above designation to apply to take the practical nurse licensure exam and therefore, upon passing of the exam, fill an immediate need in the nursing workforce. The Air Force reports that there are approximately twenty-seven (27) individuals who would be ready to apply for licensure, if the rule was in effect. Bothwell Hospital in Sedalia is in need of nurses and would be very interested in putting them to work. The individuals who would otherwise be eligible may leave Missouri or may transfer to another state by the time that this rule is promulgated under the normal procedures. Emergency rule processes would allow for a one hundred eighty- (180-) day window and the potential of at least twenty-seven (27) new LPNs in Missouri with the potential for jobs at Bothwell or other Missouri healthcare institutions. Air Force reports indicate that nation-wide there may be in excess of ten thousand (10,000) service members with this designation.

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 Missouri State Board of Nursing believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed April 27, 2017, becomes effective May 9, 2017, and expires February 15, 2018.

### (1) Examination.

- (B) The registered professional nurse (RN) candidate shall have successfully completed the basic prescribed curriculum and received a degree or diploma from a school with an [accredited] approved professional nursing program. The practical nurse candidate shall have successfully completed a basic prescribed curriculum in an [accredited] approved school of practical nursing and have earned a practical nursing degree, diploma, or certificate or completed a comparable period of training as determined by the board. A comparable period of training as determined by the board shall mean graduation from an [accredited] approved professional nursing program with validation by examination of a personal and vocational concepts course by an [accredited] approved practical nursing program or graduation from the Army Practical Nurse Program.
- (C) Pursuant to section 324.007, RSMo, the education, training, and/or service received and completed through the Air Force Basic Medical Technician Corpsman Program (BMTCP) 4N051-5 Skill Level is an approved program for practical nursing. Any applicant for licensure for practical nursing who has successfully completed the BMTCP 4N051-5 Skill Level, or above, has met the educational qualifications for licensure by examination.
- [(C)](D) The candidate shall make written application to the Missouri State Board of Nursing for permission to [be admitted to] take the licensing examination for professional/practical nurses. Application forms for the licensing examination shall be obtained from the Missouri State Board of Nursing.
- [1. A request for forms shall be made by the director of the program of professional/ practical nursing and should include the names and completion dates of candidates who expect to apply for admission to the examination.
- 2. Application forms for out-of-state/country graduates may be obtained by contacting the State Board of Nursing, giving name, address, name and address of school of nursing and completion date.]
- [3.]1. Any applicant applying for the practical nurse licensing examination who is deficient in theory, clinical experience, or both, as stated in 20 CSR 2200, Chapter 3—Practical Nursing, and has not earned a practical nursing degree or met the requirements for a comparable period of training as determined by the board pursuant to 20

CSR 2200-4.020(1)(B) or (C), will not be approved.

[(D)](E) A completed application for the licensing examination signed and accompanied by one (1) two-inch by two-inch ( $2" \times 2"$ ) portrait/photograph of the applicant shall be submitted to the Missouri State Board of Nursing for evaluation along with the required examination fee, and proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check prior to the established deadline date set by the Missouri State Board of Nursing. Proof shall consist of any documentation acceptable to the board. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor. All fees are nonrefundable. Note: The name appearing on the application will be the only legal name of the individual recognized by the Missouri State Board of Nursing unless evidence of the change in name has been submitted.

[(E)](F) An application for a candidate's first licensing examination in Missouri shall bear the school seal and the signature of the director of the program of professional/practical nursing. This shall indicate the endorsement of the candidate to take the licensing examination. The affidavit portion of the application shall be properly executed before a notary public.

[(F) Applicants approved by the Missouri State Board of Nursing as eligible to take the licensing examination for professional/practical nurses shall be notified and forwarded identifying material and specific information as to date, time, and place. Candidates shall take the current National Council of State Boards of Nursing, Incorporated Licensure Examination for professional/practical nurses.]

(K) A transcript of the final record shall be submitted to the Missouri State Board of Nursing for each applicant upon completion of the program of professional/practical nursing. The seal, if available, of the school and signature of the director of the program of professional/practical nursing *[or]*, registrar shall be affixed to the transcript. The transcript must include the degree/designation awarded and date of graduation or completion. A candidate cannot take the licensure examination until all licensure requirements are met, including providing a transcript.

- (5) Licensure by Endorsement in Missouri—Registered Nurses (RNs) and Licensed Practical Nurses (LPNs).
- (A) A professional/practical nurse licensed in another state or territory of the United States shall be entitled to licensure provided qualifications are equivalent to the requirements of Missouri at the time of original licensure. This equivalency shall be defined as—
- 1. Evidence of completion and graduation from an *[accredit-ed]* approved program of professional/practical nursing if educated in a state of the United States; a course-by-course evaluation report received directly from a credentials evaluation service approved by the board or a Commission on Graduates of Foreign Nursing Schools (CGFNS) certificate if the initial nursing education was earned in a territory, Canada, or another country;
- 2. Attainment of a passing standard score or pass designation as determined by the Missouri State Board of Nursing on the licensing examination or attainment of an acceptable grade in areas comparable to those required in Missouri at the time licensure was secured in the state of original licensure;
- 3. Evidence of completion of the applicable secondary education set forth in section 335.046, RSMo, requirements or the equivalent as determined by the State Department of Education;
- 4. Applicants who are not citizens of the United States who have completed programs in schools of professional/practical nursing in states which require citizenship for licensure may take the National Council Licensure Examination for professional/practical nurses in Missouri if they meet all of Missouri's requirements; and
- 5. If an individual was licensed by waiver as a practical/vocational nurse in another state, territory, or foreign country prior to

July 1, 1955, and the individual meets the requirements for licensure as a practical nurse in Missouri which were in effect at the time the individual was licensed in the other jurisdiction, she/he is eligible for licensure in Missouri as an LPN. If an individual is licensed by waiver in another state after July 1, 1955, she/he does not qualify for licensure by waiver in Missouri as a practical nurse.

AUTHORITY: sections 335.036.1(2) and (7), 335.046, 335.051, and 335.066, [RSMo Supp. 2013, and sections 335.046 and 335.051,] RSMo [2000] 2016. This rule originally filed as 4 CSR 200-4.020. Original rule filed Oct. 14, 1981, effective Jan. 14, 1982. For intervening history, please consult the Code of State Regulations. Emergency amendment filed April 27, 2017, effective May 9, 2017, expires Feb. 15, 2018. A proposed amendment covering this same material is published in this issue of the Missouri Register.

### **Executive Orders**

MISSOURI REGISTER

he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo 2016.

### EXECUTIVE ORDER 17-12

WHEREAS, I have been advised by the State Emergency Management Agency that the ongoing and forecast severe storm systems have caused, or have the potential to cause, damages associated with tornadoes, high winds, hail, heavy rains, flooding, and flash flooding impacting communities throughout the State of Missouri; and

WHEREAS, interruptions of public services are occurring, or anticipated to occur, as a result of the severe weather event starting on April 28, 2017, and continuing; and

WHEREAS, the severe storm systems beginning on April 28, 2017 and continuing have the potential to create a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, the State of Missouri will continue to be proactive where the health and safety of the citizens of Missouri are concerned; and

WHEREAS, the resources of the State of Missouri may be needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo, is required to ensure the protection of the safety and welfare of the citizens of Missouri.

NOW, THEREFORE, I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, including Sections 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri and direct that the Missouri State Emergency Operations Plan be activated.

I further authorize the use of state agencies to provide assistance, as needed.

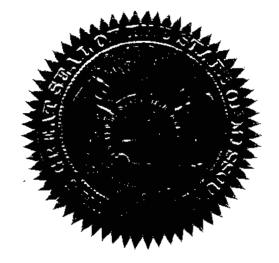
This order shall terminate on May 28, 2017, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 28<sup>th</sup> day of April, 2017.

Eric R. Greitens Governor

Secretary of State

ATTEST:



### EXECUTIVE ORDER 17-13

WHEREAS, I have been advised by the State Emergency Management Agency that the ongoing and forecast severe storm systems have caused, or have the potential to cause, damages associated with tornadoes, high winds, hail, heavy rains, flooding, and flash flooding impacting communities throughout the State of Missouri; and

WHEREAS, interruptions of public services are occurring, or anticipated to occur, as a result of the severe weather event starting on April 28, 2017, and continuing; and

WHEREAS, the severe storm systems beginning on April 28, 2017 and continuing have created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, the State of Missouri will continue to be proactive where the health and safety of the citizens of Missouri are concerned; and

WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo, is required to ensure the protection of the safety and welfare of the citizens of Missouri; and

WHEREAS, on April 28, 2017, Executive Order 17-12 invoked the provisions of Sections 44.100 and 44.110, RSMo, and declared that a State of Emergency exists in the State of Missouri and directed that the Missouri State Emergency Operations Plan be activated; and

WHEREAS, additional resources of the State of Missouri are needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians.

NOW THEREFORE. I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Sections 44.100 and 44.110 RSMo, order and direct the Adjutant General of the State of Missouri, or his designee, to forthwith call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and it is further ordered and directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized and directed by the Governor of this State.

This Order shall terminate on May 30, 2017, unless extended in whole or in part.



ATTEST:

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 30th day of April, 2017.

Eric R. Greitens

Governor

John R. Ashcroft Secretary of State Inder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

ntirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder: **Boldface text indicates new matter**.

[Bracketed text indicates matter being deleted.]

### Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 4—General Rules

### PROPOSED AMENDMENT

**20 CSR 2200-4.020 Requirements for Licensure**. The board is amending sections (1) and (5).

PURPOSE: This amendment is to recognize the Air Force Basic Medical Technician Corpsman Program 4N051 – 5 Skill Level and above to meet educational standards/academic preparation for licensure as a practical nurse.

- (1) Examination.
  - (B) The registered professional nurse (RN) candidate shall have

successfully completed the basic prescribed curriculum and received a degree or diploma from a school with an [accredited] approved professional nursing program. The practical nurse candidate shall have successfully completed a basic prescribed curriculum in an [accredited] approved school of practical nursing and have earned a practical nursing degree, diploma, or certificate or completed a comparable period of training as determined by the board. A comparable period of training as determined by the board shall mean graduation from an [accredited] approved professional nursing program with validation by examination of a personal and vocational concepts course by an [accredited] approved practical nursing program or graduation from the Army Practical Nurse Program.

(C) Pursuant to section 324.007, RSMo, the education, training, and/or service received and completed through the Air Force Basic Medical Technician Corpsman Program (BMTCP) – 4N051-5 Skill Level is an approved program for practical nursing. Any applicant for licensure for practical nursing who has successfully completed the BMTCP – 4N051-5 Skill Level, or above, has met the educational qualifications for licensure by examination.

[(C)](D) The candidate shall make written application to the Missouri State Board of Nursing for permission to [be admitted to] take the licensing examination for professional/practical nurses. Application forms for the licensing examination shall be obtained from the Missouri State Board of Nursing.

- [1. A request for forms shall be made by the director of the program of professional/ practical nursing and should include the names and completion dates of candidates who expect to apply for admission to the examination.
- 2. Application forms for out-of-state/country graduates may be obtained by contacting the State Board of Nursing, giving name, address, name and address of school of nursing and completion date.]
- [3.]1. Any applicant applying for the practical nurse licensing examination who is deficient in theory, clinical experience, or both, as stated in 20 CSR 2200, Chapter 3—Practical Nursing, and has not earned a practical nursing degree or met the requirements for a comparable period of training as determined by the board pursuant to 20 CSR 2200-4.020(1)(B) or (C), will not be approved.

[(D)](E) A completed application for the licensing examination signed and accompanied by one (1) two-inch by two-inch ( $2" \times 2"$ ) portrait/photograph of the applicant shall be submitted to the Missouri State Board of Nursing for evaluation along with the required examination fee, and proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check prior to the established deadline date set by the Missouri State Board of Nursing. Proof shall consist of any documentation acceptable to the board. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor. All fees are nonrefundable. Note: The name appearing on the application will be the only legal name of the individual recognized by the Missouri State Board of Nursing unless evidence of the change in name has been submitted.

[(E)](F) An application for a candidate's first licensing examination in Missouri shall bear the school seal and the signature of the director of the program of professional/practical nursing. This shall indicate the endorsement of the candidate to take the licensing examination. The affidavit portion of the application shall be properly executed before a notary public.

[(F) Applicants approved by the Missouri State Board of Nursing as eligible to take the licensing examination for professional/practical nurses shall be notified and forwarded identifying material and specific information as to date, time, and place. Candidates shall take the current National Council of State Boards of Nursing, Incorporated Licensure Examination

for professional/practical nurses.]

- (K) A transcript of the final record shall be submitted to the Missouri State Board of Nursing for each applicant upon completion of the program of professional/practical nursing. The seal, if available, of the school and signature of the director of the program of professional/practical nursing *[or]*, registrar shall be affixed to the transcript. The transcript must include the degree/designation awarded and date of graduation or completion. A candidate cannot take the licensure examination until all licensure requirements are met, including providing a transcript.
- (5) Licensure by Endorsement in Missouri—Registered Nurses (RNs) and Licensed Practical Nurses (LPNs).
- (A) A professional/practical nurse licensed in another state or territory of the United States shall be entitled to licensure provided qualifications are equivalent to the requirements of Missouri at the time of original licensure. This equivalency shall be defined as—
- 1. Evidence of completion and graduation from an *[accredit-ed]* approved program of professional/practical nursing if educated in a state of the United States; a course-by-course evaluation report received directly from a credentials evaluation service approved by the board or a Commission on Graduates of Foreign Nursing Schools (CGFNS) certificate if the initial nursing education was earned in a territory, Canada, or another country;
- 2. Attainment of a passing standard score or pass designation as determined by the Missouri State Board of Nursing on the licensing examination or attainment of an acceptable grade in areas comparable to those required in Missouri at the time licensure was secured in the state of original licensure;
- 3. Evidence of completion of the applicable secondary education set forth in section 335.046, RSMo, requirements or the equivalent as determined by the State Department of Education;
- 4. Applicants who are not citizens of the United States who have completed programs in schools of professional/practical nursing in states which require citizenship for licensure may take the National Council Licensure Examination for professional/practical nurses in Missouri if they meet all of Missouri's requirements; and
- 5. If an individual was licensed by waiver as a practical/vocational nurse in another state, territory, or foreign country prior to July 1, 1955, and the individual meets the requirements for licensure as a practical nurse in Missouri which were in effect at the time the individual was licensed in the other jurisdiction, she/he is eligible for licensure in Missouri as an LPN. If an individual is licensed by waiver in another state after July 1, 1955, she/he does not qualify for licensure by waiver in Missouri as a practical nurse.

AUTHORITY: sections 335.036.1(2) and (7), 335.046, 335.051, and 335.066, [RSMo Supp. 2013, and sections 335.046 and 335.051,] RSMo [2000] 2016. This rule originally filed as 4 CSR 200-4.020. Original rule filed Oct. 14, 1981, effective Jan. 14, 1982. For intervening history, please consult the Code of State Regulations. Emergency amendment filed April 27, 2017, effective May 9, 2017, expires Feb. 15, 2018. Amended: Filed April 27, 2017.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions between three hundred eighty-six dollars and thirty-six cents (\$386.36) and three hundred ninety-five dollars and forty-one cents (\$395.41) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will cost private entities approximately two thousand seven hundred thirty-nine dollars (\$2,739) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

### PUBLIC FISCAL NOTE

### I, RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2200 - State Board of Nursing

Chapter 4 - General Rules

Proposed Rule - 20 CSR 2200-4.020 - Requirements for Licensure

### II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance	
		\$386.36
State Board of Nursing		to
		\$395.41
	Tatal Amenal Cost of Cost of Cost	\$386.36
	Total Annual Cost of Compliance for the Life of the Rulc	to
	for the Life of the Kuic	\$395.41

#### III. WORKSHEET

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	NUMBER OF ITEMS	TOTAL COST
PR Administrative	\$38,304	\$60,019	\$28.86	\$0.48		\$2.40		\$64.92
Coordinator	to	to	ta	to	5 minutes	to	27	te
	\$39,708	\$61,841	\$29.73	\$0.50		\$2.48	l	\$66.90
Processing	\$26,340	\$44,492	\$21.39	\$0.36		\$10.70		\$288.77
Technician II	to	to	ເວ	to	30 minutes	to	27	tə
	\$27,180	\$45,582	\$21.91	\$0.37		\$10.96		\$295.84
	<u> </u>							\$353.69
								to
					1	Total Personal Sei	rvice Costs	\$362.74

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Correspondence Mailing	\$0.49	27	\$13.23
License Printing and Postage	\$0.72	27	\$19.44
	Total Expense an	d Equipment Costs	\$32.67

### IV. ASSUMPTION

- 1. Employee's salaries were calculated using the annual salary multiplied by (29.78% \* Salary) · (10,308\*FTE) for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications. The total cost was based on the cost per application multiplied by the estimated number of applications.
- 2. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

### PRIVATE ENTITY FISCAL NOTE

### I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration Division 2200 - State Board of Nursing

Chapter 4 - General Rules

Proposed Rule - 20 CSR 2200-4.020 - Requirements for Licensure

### II. SUMMARY OF FISCAL IMPACT

Annual Cost of Compliance for the Life of the Rule

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
27	Licensed Practical Nurse Applicants (License by Exam Fee of \$41)	\$1,107
27	Nursing Applicants (Transcript of \$10)	\$270
27	Nursing Applicants (Background Check of \$40.30)	\$1,088
27	Nursing Applicants (Photograph of \$7.50)	\$203
27	Nursing Applicants (Notary of \$2.00)	\$54
27	Nursing Applicants (Application Postage of \$.65)	\$17.55
	Estimated Annual Cost of Compliance for the Life of the Rule	\$2,739

### III. WORKSHEET

See table above.

### IV. ASSUMPTION

- 1. The board estimates that there will be twenty-seven applicants each year that will submit applications.
- 2. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

### Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2235—State Committee of Psychologists Chapter 1—General Rules

### PROPOSED AMENDMENT

20 CSR 2235-1.020 Fees. The board is amending section (1).

PURPOSE: This rule is being amended pursuant to section 337.085, RSMo, which states the committee shall by rule and regulation set the amount of fees authorized by Chapter 337, 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 Chapter 337, RSMo.

(1) The following fees are established for the State Committee of Psychologists and are payable to the State Committee of Psychologists:

Unicio gioto.
\$300.00
\$ 50.00
\$150.00
\$ 25.00
\$100.00
\$ 10.00
\$150.00
\$ 40.00
\$100.00
\$ 10.00

AUTHORITY: sections 337.030[, RSMo Supp. 2013, and section] and 337.050, RSMo [2000] 2016. This rule originally filed as 4 CSR 235-1.020. Emergency rule filed Dec. 9, 1981, effective Jan. II, 1982, expired April 4, 1982. Original rule filed Dec. 9, 1981, effective April 4, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed May 15, 2017.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately three hundred seventy-eight thousand two hundred twenty dollars (\$378,220) from November 1, 2017 to October 31, 2019 as a result of the proposed decrease.

PRIVATE COST: This proposed amendment will save private entities approximately three hundred seventy-eight thousand two hundred twenty dollars (\$378,220) from November 1, 2017 to October 31, 2019 as a result of the proposed decrease.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Committee of Psychologists, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-0661, or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

### PUBLIC FISCAL NOTE

### I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration Division 2235 -State Committee of Psychologists

Chapter 1 - General Rules

Proposed Amendment - 20 CSR 2235-1.020 Fees

### II. SUMMARY OF FISCAL IMPACT

fected Agency or Political Subdivis	ivis Estimated Annual Decrease in Revenue	
State Committee of Psychologists		\$378,220
	Total Annual Decrease in Revenue November 1, 2017 to October 31, 2019	6270 330

### III. WORKSHEET

See Private Entity Fiscal Note

### IV. ASSUMPTION

- 1. The figures reported above are based on FY16 actuals.
- 2. Actual revenue decreases may vary based on renewal applications received.
- 3. The projected revenue decrease will result in a net savings to the Board's licensees.

### PRIVATE FISCAL NOTE

### I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration Division 2235 - State Committee of Psychologists

Chapter 1—General Rules

Proposed Amendment - 20 CSR 2235-1.020 Fees

### H. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost savings of compliance with the amendment by affected entities:
1,250	Biennial Renewal Fcc (Fcc Decrease @ \$250.00)	\$312,500
200	Inactive Licnse Fee (Fee Decrease @ \$90)	\$18,000
2	Reactivation Fee (Fee Decrease @ \$110)	\$220
500	Health Service Provider Biennial Renewal (Fee Decrease @ \$90)	\$45,000
	Estimated Cost Savings from November 1, 2017 to October 31, 2019	\$375,720

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	entities which would likely be affected:	Estimated cost savings of compliance with the amendment by affected entities:
20	Delingquency Fee (Fee Decrease @ \$125)	\$2,500
	Estimated Cost Savings from April 1, 2018 to October 31, 2019	

### III. WORKSHEET

Sec Table Above

### IV. ASSUMPTION

- 1. The figures reported above are based on FY16 actuals.
- 2. These cost savings will occur between November 1, 2017, and October 31, 2019. Effective October 31, 2019, the psychologist and health service provider renewal fees, the delinquency, inactive, and reactivation fees will revert to their original cost, and the additional savings will end.

Note: The board is statutorily obligated to enforce and administer the provisions of chapter 337, RSMo. Pursuant to section 337,030, RSMo, the board shall by rule and regulation set the amount of fees authorized by chapter 337, 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 chapter 337, RSMo.

by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*, an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the Missouri Register begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

# Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission

Division 240—Public Service Commission Chapter 2—Practice and Procedure

### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040 and 386.410, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-2.135 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2017 (42 MoReg 14–17). Changes to the proposed amendment are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended February 2, 2017, and the commission held a public hearing on the proposed amendment on February 16, 2017. The commission received timely written comments from the Missouri Cable Telecommunications Association (MCTA) and Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company (GMO). In addition, the commission received a written comment from attorney Carl Lumley on November 23, 2016. Although that comment was submitted before the proposed amendment was published in the Register, the commission will respond to it in this order. Jim Fischer, representing KCP&L/GMO; Rick Zucker, representing Laclede Gas and Missouri Gas Energy (Laclede/MGE); Tim Opitz, representing the Office of the Public Counsel; Chris Moody, on behalf of MCTA;

and Mark Johnson, representing the commission's staff, appeared at the hearing and offered comments.

COMMENT #1: The comments from MCTA, KCPL/GMO, and Laclede/MGE share an overarching concern that the rule should continue to protect competitively sensitive information from disclosure to employees of competing parties who are engaged in strategic marketing and planning. The existing rule does that by creating two (2) categories of confidential information: proprietary and highly confidential. Information that is designated as highly confidential can be disclosed only to attorneys and outside experts and not be viewed by employees, officers, or directors of the party. Information that should not be made public but which is not competitively sensitive is supposed to be designated as proprietary under the existing rule.

MCTA, KCPL/GMO, and Laclede/MGE would like the enhanced protections for highly confidential information to remain in the rule. Jim Fischer, speaking for KCPL/GMO, was particularly concerned that the commission not go back to routinely issuing "standard protective orders" in every case, as was the practice before the current confidential information rule went into effect in 2006. Fischer believes it would be a waste of resources for the parties to have to negotiate and propose a protective order that can instead be established by rule.

RESPONSE: The new rule will continue to allow for the protection from disclosure of confidential information to persons that should not be allowed to view that information. But, the new rule will discourage the practice of routinely over-designating information as highly confidential.

Proprietary was intended to be the routine designation for confidential information under the existing rule. The highly confidential designation was supposed to be reserved for information deserving of a higher level of protection. Unfortunately, over the years, parties have found it easier to simply designate all confidential information as highly confidential. As one (1) attorney-commenter explained at the hearing, "if I've designated something HC that wasn't, not much happens. But if I fail to designate something HC that was, then I get in some trouble back home."

The new rule tries to correct that over-designation problem by listing only one (1) set of categories that will receive standard protections, which is called "confidential" information in the new rule. If a party believes that certain information should have a higher level of protection, the proposed rule allows the party to file a motion explaining what information must be protected and why. The intent is that the parties can negotiate the appropriate measures to protect that information from improper disclosure. They can then present their agreement to the commission for approval. Or, if they cannot agree, they can present their arguments to the commission for resolution of disputes regarding the details of how particular information should be protected. In that way, the increased protection afforded to highly confidential information can be limited to the information that truly needs to be protected and the public's right to know the information that forms the basis for the commission's decisions can be preserved. No change was made in response to this comment.

COMMENT #2: Paragraph (1)(B)5. of the existing rule, re-designated as paragraph (2)(A)5. of the proposed rule, defines "reports, work papers, or other documents related to work produced by external auditors, consultants or attorneys" as confidential. The amended rule would add that "total amounts billed by each external auditor, consultant, or attorney shall always be public." KCPL/GMO expressed concern that this revision could conflict with the attorney-client privilege as it would apply to attorneys. It also believes the rule is overbroad in saying that all such bills must be public even outside the context of a rate case in which the utility might be trying to recover the cost of such reports. In other words, if a company wants to use shareholder funds to perform a study, or if the study costs were

incurred outside a rate case test-year, those costs should not need to be made public.

RESPONSE AND EXPLANATION OF CHANGE: The commission intended that this provision make public auditor, consultant, and attorney fees that a utility is seeking to recover from its ratepayers in the context of a rate case. It agrees with the comment to the extent that such fees not associated with a rate case do not always need to be made public. The commission will modify paragraph (2)(A)5. to limit its application to "services related to general rate proceedings."

COMMENT #3: MCTA expressed concern that section (4) presumes that all information must be disclosed to the parties in some way because it requires an explanation of how the information "shall" be disclosed to the parties that require the information. It points out that the FCC has found some information so confidential that it should not be disclosed to anyone other than to the commission. MCTA suggests the language be modified to recognize that in some circumstances less, or even non-disclosure, may be appropriate.

RESPONSE AND EXPLANATION OF CHANGE: The commission understands that some information should be afforded extraordinary levels of protection and the rule would allow the commission to order such levels of protection in appropriate circumstances. The commission will alleviate MCTA's concerns by changing "shall be disclosed" to "may be disclosed," and deleting the clause that suggests some parties may require the information.

COMMENT #4: Subsection (4)(A) is intended to protect information from disclosure while a motion seeking a greater level of protection is pending. It does so by limiting disclosure to attorneys and outside experts, which is the restriction on disclosure of highly confidential information under the current rule. MCTA commented that some information may be entitled to even greater protection and should not be disclosed to anyone before the commission has a chance to rule on the request. MCTA suggests the subsection be modified to allow the party making the request to simply describe the information to be protected until the commission decides what limitations on disclosure should be afforded. Public counsel commented that such a description of the information for which protection is sought would have to be sufficiently detailed to allow other parties to respond to the

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments. The subsection will be modified to allow information to be protected from disclosure in the manner sought in the motion while the commission considers that motion. The modification will also require the moving party to provide a detailed summary of the information at issue.

COMMENT #5: Subsection (5)(B) of the proposed amendment requires a party designating discovery information as confidential to describe how "each piece" of that information qualifies as confidential under the rule. KCPL/GMO is concerned that requiring a description of the confidentiality of "each piece" of information could require excessive detail and could lead to additional disputes among the parties.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment. The subsection will be modified to remove the phrase "each piece of" from the requirement of an explanation of how information qualifies as confidential.

COMMENT #6: Laclede/MGE questioned the deletion of existing subsection (3)(C), which states that the rule does not require disclosure of information that would otherwise be protected from disclosure by any privilege or other rule regarding discovery. Laclede/MGE suggests such provision is essential.

RESPONSE: The commission agrees that this rule does not require disclosure of information otherwise protected from discovery. But this subsection is no longer necessary because that protection is now recognized in the first section of the new rule. No change was made in response to this comment.

COMMENT #7: MCTA is concerned that the proposed amendment would allow employees of competitive companies to view highly confidential, competitively sensitive information. It urges the commission to add restrictions to section (6) to prohibit the release of such information to employees of a party who are engaged in marketing or strategic planning activities.

RESPONSE: The commission recognizes that competitively sensitive information may need a higher level of protection from disclosure. The proposed amendment allows for a higher level of protection if the disclosing party wants to seek such protections. For that reason the protections sought by MCTA do not need to be included in the rule. No change was made in response to this comment.

COMMENT #8: The proposed amendment deletes section (5) of the existing rule. That section describes the circumstances in which highly confidential information should be handled and disclosed to parties. KCPL/GMO and MCTA argue that the existing rule's provisions regarding the handling of highly confidential information are helpful and generally accepted by all parties appearing before the commission. They suggest there is no reason to require the parties to renegotiate these provisions in every case.

RESPONSE: The commission agrees that the provisions contained in the deleted section may appropriately be included in a motion for additional protection beyond what is provided in section (2) of the rule. But, the use of such provisions should be considered by the commission on a case-by-case basis when deciding whether to grant such a request. They do not need to be included in the rule and the section will be deleted. No change was made in response to this comment.

COMMENT #9: Carl Lumley points out an error in section (7) of the proposed amendment. The section requires a written certificate of "such expert or party." Earlier in the section reference is made to experts and employees of a party. The second reference should also be to "employee of a party," rather than just "party."

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment and will correct the error.

COMMENT #10: Section (10) of the proposed amendment continues the existing rule's description of how confidential information is to be delineated in prefiled testimony. Carl Lumley comments that the same delineation requirements should also apply to other documents filed with the commission, such as briefs and pleadings.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment and will add a new subsection (10)(D) that will apply the same delineation requirements to briefs and pleadings.

COMMENT #11: Carl Lumley comments that section (11) is limited to challenges to the designation of confidential information in discovery or testimony. He suggests it should also apply to briefs and pleadings.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment, and section (11) will be made to apply to briefs and pleadings as well as discovery and testimony.

COMMENT #12: Section (13) of the existing rule allows a party responding to a discovery request to require that voluminous or hard to copy information be reviewed on its premises or at some other location. That section is deleted from the proposed amendment. KCPL/GMO asks that the section be retained in the new rule, contending that it has proven to be useful.

RESPONSE: The commission agrees that provisions of this section regarding voluminous or hard to copy information may be useful. However, they are not related to a question of confidentiality and thus do not belong in this rule. No change was made in response to this comment.

COMMENT #13: Staff pointed to a section of statute that references

"proprietary" information at the commission. Paragraph 392.550.3(7)(c), RSMo 2016 requires a registrant seeking to provide interconnected voice over internet protocol service to give the commission certain information and requires the commission to maintain that information as "proprietary" and not available to the public.

RESPONSE AND EXPLANATION OF CHANGE: The revised rule will no longer recognize a "propriety" designation for confidential information, but the new "confidential" designation will still protect that information from public disclosure as contemplated by the statute. The commission will add a new section (20) to clarify that any reference to proprietary or highly confidential information in any statute or other regulation of this commission shall be interpreted as a reference to confidential information under this rule.

COMMENT #14: Public counsel generally supports the revisions to the rule to ensure that information that should be available to the public is not improperly designated as confidential or highly confidential. In particular, Public counsel applauds the removal of the time limits on the filing of challenges to confidential designation of information.

RESPONSE: The commission thanks Public counsel for its comment. No change was made in response to this comment.

COMMENT #15: In reviewing the proposed amendment, the commission notes that words are missing from subsection (2)(B). The subsection should require a reference to the "paragraph of" 4 CSR 240-2.135(2)(A) through which the information is protected.

RESPONSE AND EXPLANATION OF CHANGE: The missing words have been added to subsection (2)(B).

#### 4 CSR 240-2.135 Confidential Information

- (2) Confidential Designation.
- (A) Any person may submit to the commission, without first obtaining a protective order, information designated as confidential if that information is—
  - 1. Customer-specific information;
  - 2. Employee-sensitive personnel information;
- 3. Marketing analysis or other market-specific information relating to services offered in competition with others;
- 4. Marketing analysis or other market-specific information relating to goods or services purchased or acquired for use by a company in providing services to customers;
- 5. Reports, work papers, or other documentation related to work produced by internal or external auditors, consultants, or attorneys, except that total amounts billed by each external auditor, consultant, or attorney for services related to general rate proceedings shall always be public;
- 6. Strategies employed, to be employed, or under consideration in contract negotiations;
  - 7. Relating to the security of a company's facilities; or
- 8. Concerning trade secrets, as defined in section 417.453, RSMo.
- (B) Any information designated as confidential shall be submitted with a cover sheet or pleading describing how such information qualifies as confidential under subsection (2)(A) of this rule, including the specific subsection relied upon and an explanation of its applicability. Only the specific information that qualifies as confidential shall be designated as such. In addition, each document that contains confidential information shall bear the designation "Confidential" and the paragraph(s) of 4 CSR 240-2.135(2)(A) through which that information is protected.
- (4) The commission may order greater protection than that provided by a confidential designation upon a motion explaining what information must be protected, the harm to the disclosing entity or the public that might result from disclosure of the information, and an explanation of how the information may be disclosed while protecting

the interests of the disclosing entity and the public.

- (A) While such a motion is pending, the disclosing party requesting greater protection will be afforded the protection sought. However, in all circumstances, the disclosing party must, at a minimum, provide a detailed summary of the information at issue.
- (B) Any document that contains such information shall bear the designation "Highly Confidential," rather than "Confidential," but shall otherwise follow the formatting delineated in section (10) of this rule
- (5) When a party seeks discovery of information that the party from whom discovery is sought believes to be confidential, the party from whom discovery is sought may designate the information confidential.
- (A) No order from the commission is necessary before a party in any case pending before the commission may designate discovery responses confidential, and such information shall be protected as provided in this rule.
- (B) The party that designates discovery information confidential shall inform, in writing, the party seeking discovery how that information qualifies as confidential under subsection (2)(A) of this rule at the same time it responds to the discovery request. If the party seeking discovery disagrees with the designation placed on the information, that party shall follow the informal discovery dispute resolution procedures set forth in 4 CSR 240-2.090(8). If the party seeking discovery exhausts these dispute resolution procedures, that party may file a motion challenging the designation.
- (7) Any employee of a party or outside expert retained by a party that wishes to review confidential information shall first certify in writing that such expert or employee of a party will comply with the requirements of this rule.
- (A) The certification shall include the signatory's full name, permanent address, title or position, date signed, the case number of the case for which the signatory will view the information, and the identity of the party for whom the signatory is acting.
- (C) The party seeking disclosure of the confidential information shall provide a copy of the certificate to the disclosing party before disclosure is made.
- (10) Any prefiled testimony that contains information designated as confidential shall be filed with both a public and a nonpublic version as follows:
- (A) For the public version, the confidential portions shall be removed. The removal of confidential information shall be indicated by underlining and two (2) asterisks before and after the confidential information, e.g., \*\*confidential information removed\*\*. The designated information shall be removed in such a way that the lineation and pagination of the public version remains the same as the confidential version;
- (B) For the nonpublic version of the prefiled testimony, the confidential information shall be indicated by underlining and by two (2) asterisks before and after the confidential information, e.g., \*\*confidential information\*\*;
- (C) At the hearing, the party offering the prefiled testimony shall present a public version of the testimony in which the confidential portions are removed. The public version of the testimony will be marked as Exhibit \_\_\_\_. The offering party shall also present a separate copy of the prefiled testimony containing confidential information, sealed in an envelope. The version of the testimony containing confidential information will be marked as Exhibit C.
- (D) These delineation requirements shall also be used when designating confidential portions of pleadings and briefs.
- (11) At any time after the filing of discovery, testimony, brief, or pleading that contains information designated as confidential, the commission may challenge the designation of the discovery, testimony, brief, or pleading. A party may also challenge such a designation at any time by filing an appropriate motion with the commission.

(20) Any reference in any statute or other regulation of this commission that refers to proprietary or highly confidential information shall be interpreted to mean confidential information under this rule.

### Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 100—Office of Quality Schools

### ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 160.400–160.425 and 161.092, RSMo 2016, the board amends a rule as follows:

### 5 CSR 20-100.260 Standards for Charter Sponsorship is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2017 (42 MoReg 85). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received three (3) comments on the proposed amendment.

COMMENTS: Bill Mendelsohn, Executive Director, Charter Schools Office, University of Missouri-St. Louis; Robbyn Wahby, Executive Director, Missouri Charter Public School Commission; and Victoria Hughes, Ed.D., Office of Charter Schools, University of Central Missouri-Warrensburg; noted that they are in support of these changes. RESPONSE: No changes have been made to the amendment as a result of these comments.

### Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 100—Office of Quality Schools

### ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 160.405 and 161.092, RSMo 2016, the board adopts a rule as follows:

### 5 CSR 20-100.280 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 17, 2017 (42 MoReg 85–86). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received three (3) comments on the proposed rule.

COMMENT #1: Bill Mendelsohn, Executive Director, Charter Schools Office, University of Missouri-St. Louis; and Victoria Hughes, Ed.D., Office of Charter Schools, University of Central Missouri-Warrensburg; noted that they are in support of this rule. RESPONSE: No changes have been made to the rule as a result of this comment.

COMMENT #2: Robbyn Wahby, Executive Director, Missouri Charter Public School Commission, stated "this proposed rule repli-

cates statute language and is not necessary."

RESPONSE AND EXPLANATION OF CHANGE: The board agreed to make the change to clarify the purpose of the proposed rule.

### 5 CSR 20-100.280 Charter School Expedited Renewal Application Process

PURPOSE: This rule establishes the method for expediting the renewal process for a charter school that meets the requirements of section 160.405.9.(2)(d), RSMo 2016.

### Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 100—Office of Quality Schools

### ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 160.400–160.425 and 167.349, RSMo 2016, the board adopts a rule as follows:

**5 CSR 20-100.290** Charter School Expedited Replication and Expansion Application Process **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 17, 2017 (42 MoReg 86). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments on this proposed rule.

COMMENTS: Victoria Hughes, Ed.D., Office of Charter Schools, University of Central Missouri-Warrensburg, and Robbyn Wahby, Executive Director, Missouri Charter Public School Commission, noted that they are in support of this rule.

RESPONSE: No changes have been made to the rule as a result of these comments.

### Title 6—DEPARTMENT OF HIGHER EDUCATION Division 10—Commissioner of Higher Education Chapter 3—Residency and Transfer

### ORDER OF RULEMAKING

By the authority vested in the Department of Higher Education under sections 173.005.2(7), 173.081, 173.1150.3, and 173.1153.4, RSMo 2016, the department amends a rule as follows:

### 6 CSR 10-3.010 Determination of Student Residency is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2017 (42 MoReg 174–177). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

# Title 7—DEPARTMENT OF TRANSPORTATION Division 10—Missouri Highways and Transportation Commission Chapter 25—Motor Carrier Operations

### IN ADDITION

7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers

#### PUBLIC NOTICE

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

SUMMARY: This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce because of impaired vision or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

**DATES:** Comments must be received at the address stated below, on or before, July 3, 2017.

**ADDRESSES:** You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- Email: Pamela.lueckenotto@modot.mo.gov
- Mail: PO Box 270, Jefferson City, MO 65102
- Hand Delivery: 830 MoDOT Drive, Jefferson City, MO 65102
- Instructions: All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

### COMMENTS RECEIVED BECOME MoDOT PUBLIC RECORD

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- *Docket:* For access to the department's file, to read background documents or comments received, 830 MoDOT Drive, Jefferson City, MO 65102, between 7:30 a.m. and 4:00 p.m., CT, Monday through Friday, except state holidays.

**FOR FURTHER INFORMATION CONTACT:** Pam Lueckenotto, Motor Carrier Investigations Specialist, 636-288-6082, MoDOT Motor Carrier Services Division, PO Box 270, Jefferson City, MO 65102. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

### SUPPLEMENTARY INFORMATION:

#### **Public Participation**

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

#### Background

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, RSMo, MoDOT may issue an SPE Certificate, for not more than a two- (2-) year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing an SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

### **Qualifications of Applicants**

### Application #121

Renewal Applicant's Name & Age: Shawn L. Collins, 40

Relevant Physical Condition: Vision impaired.

Mr. Collins' best corrected visual acuity in his right eye is 20/60 Snellen. His best corrected visual acuity in his left eye is 20/20 Snellen. Mr. Collins has had this visual impairment since birth, August 17, 1976.

Relevant Driving Experience: Mr. Collins has approximately seventeen (17) years of commercial motor vehicle experience. Mr. Collins currently has a Class B license. In addition, he has experience driving personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in March 2017, a board-certified optometrist certified his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: Mr. Collins has had no tickets or accidents on record for the previous three (3) years.

### **Request for Comments**

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: April 18, 2017

Scott Marion, Motor Carrier Services Director, Missouri Department of Transportation.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

# NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST BRICK CITY REDEVELOPMENT CORPORATION

On April 10, 2017, Brick City Redevelopment Corporation, a Missouri Redevelopment corporation, filed its Notice of Winding Up with the Missouri Secretary of State. Dissolution was effective April 10, 2017.

Said corporation requests that all persons and organizations who have claims against it present them by letter immediately to the company in care of: Rick J. Muenks, Attorney at Law, 3041 S. Kimbrough Avenue, Suite 106, Springfield, Missouri 65807. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. Any claim against Brick City Redevelopment Corporation, will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this notice.

# NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CALHOUN VILLAGE APARTMENTS, INC.

Calhoun Village Apartments, Inc. filed its Articles of Dissolution by Voluntary Action for a Nonprofit Corporation with the Missouri Secretary of State on April 6, 2017.

Any and all claims against Calhoun Village Apartments, Inc. must be sent to Michael X. Edgett, 608 E. Ohio Street, Clinton, Missouri 64735. Each claim must include the following: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim; and the dates(s) of the events(s) giving rise to the claim and provide copies of any documents which support the claim.

Any and all claims against Calhoun Village Apartments, Inc. will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of this publication of notice.

# NOTICE OF DISSOLUTION OF CORPORATION TO ALL CREDITORS OF AND CLAIMANTS AGAINST BSR LAMBERT, INC.

Effective April 10, 2017, BSR LAMBERT, INC., a Missouri corporation, filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

You may submit any claim against the corporation to: Jayne D. Corley, The Corley Law Firm, P.C., 999 Executive Parkway Drive, Suite 104, St. Louis, Missouri 63141. All claims must include claimant's name, telephone number and address, the claim amount, the date the claim arose, the basis for the claim and documentation for the claim.

All claims against the corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

NOTICE OF DISSOLUTION
OF CORPORATION
TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
SUBLETTE HOLDINGS COMPANY

Effective April 20, 2017, SUBLETTE HOLDINGS COMPANY, a Missouri corporation, filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

You may submit any claim against the corporation to: Jayne D. Corley, The Corley Law Firm, P.C., 999 Executive Parkway Drive, Suite 104, St. Louis, Missouri 63141. All claims must include claimant's name; telephone number and address; the claim amount; the date the claim arose; the basis for the claim; and documentation for the claim.

All claims against the corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

### Notice of Winding Up To All Creditors of and Claimants Against Riverview Plaza Properties, LLC

On March 28, 2017, RIVERVIEW PLAZA PROPERTIES, LLC, a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State. The Notice of Winding Up was effective March 28, 2017.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

RIVERVIEW PLAZA PROPERTIES, LLC c/o Hal F. Owen
721 Meramec Lane
Nixa, Missouri 65714

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, and a brief description of the nature of the debt or the basis for the claim.

NOTICE: Because of the dissolution of RIVERVIEW PLAZA PROPERTIES, LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication date of the three notices authorized by statute, whichever is published last.

# Notice of Winding Up of Limited Liability Company to All Creditors of and Claimants Against Independent In-Home Services, LLC

On March 28, 2017, Independent In-Home Services, LLC, a Missouri limited liability company, filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

All persons with claims against the limited liability company may submit any claim in accordance with this notice to: Brian M. O'Neal, Esq., McMahon Berger, P.C., 2730 North Ballas Road, Suite 200, St. Louis, MO 63131. All claims must include the name and address and telephone number of the claimant; the amount claimed; the basis for the claim; the documentation of the claim; and the date(s) of the event(s) on which the claim is based occurred.

All claims against the limited liability company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

### Notice of Corporate Dissolution To All Creditors of and Claimants Against Matco Machine and Tool Company

On April 21, 2017, Matco Machine and Tool Company, a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on April 21, 2017.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at:

Terry Machalek, President 652 Greensleeves Drive Fenton, MO 63026

Or

Anthony J. Soukenik, Esq. Sandberg Phoenix & von Gontard P.C. 600 Washington Avenue, 15<sup>th</sup> Floor St. Louis, MO 63101

All claims must include the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

NOTICE: Because of the dissolution of Matco Machine and Tool Company, any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the two notices authorized by statute, whichever is published last.

### NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST SAMVIT WELLNESS, LLC

On April 27, 2017, SAMVIT WELLNESS, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Esq., Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

# NOTICE TO CREDITORS OF DRY BASEMENT PRODUCTS, LLC

Dry Basement Products, LLC, a Missouri limited liability company (the "Company"), has been dissolved pursuant to Section 347.137 of the Missouri Limited Liability Company Act by filing Articles of Termination with the Missouri Secretary of State on April 24, 2017. Pursuant to Section 347.141 of the Missouri Limited Liability Company Act, any claims against the Company must be sent to:

Otto W. Fleck
Dry Basement Products, LLC
5121 E. Front St.
Kansas City, MO 64120

Claims submitted must include the following information: (1) claimant name, address, and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the creditor; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

NOTICE: CLAIMS AGAINST THE COMPANY WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN THREE (3) YEARS AFTER THE DATE OF THE PUBLICATION OF THIS NOTICE.

June 1, 2017 Vol. 42, No. 11

# Rule Changes Since Update to Code of State Regulations

Missouri Register

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—41 (2016) and 42 (2017). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
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1 CSR 10 1 CSR 20-5.015	State Officials' Salary Compensation Schedule Personnel Advisory Board and Division of	<del>2</del>			41 MoReg 1477
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2 CSR 90-61.020	(Changed from 10 CSR 30-3.010) Weights, Measures and Consumer Protection		42 MoReg 23	42 MoReg 734	
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2 CSR 90-61.040	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.040)		42 MoReg 23	42 MoReg 734	
2 CSR 90-61.050	Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.050)		42 MoReg 24	42 MoReg 735	
2 CSR 90-61.070	Weights, Measures and Consumer Protection		42 MoReg 25	42 MoReg 735	_
2 CSR 90-61.080	(Changed from 10 CSR 30-3.070) Weights, Measures and Consumer Protection		42 MoReg 25	42 MoReg 735	
2 CSR 90-62.010	(Changed from 10 CSR 30-3.080) Weights, Measures and Consumer Protection		42 MoReg 26	42 MoReg 735	
2 CSR 90-62.020	(Changed from 10 CSR 30-4.010) Weights, Measures and Consumer Protection		42 MoReg 26	42 MoReg 735	
2 CSR 90-62.030	(Changed from 10 CSR 30-4.020) Weights, Measures and Consumer Protection		42 MoReg 27	42 MoReg 735	
2 CSR 90-62.040	(Changed from 10 CSR 30-4.030) Weights, Measures and Consumer Protection		42 MoReg 27	42 MoReg 736	
2 CSR 90-62.050	(Changed from 10 CSR 30-4.040) Weights, Measures and Consumer Protection		42 MoReg 28	42 MoReg 736	
2 CSR 90-62.060	(Changed from 10 CSR 30-4.050) Weights, Measures and Consumer Protection		42 MoReg 29	42 MoReg 736	
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4 CCD 240 2 125	DEPARTMENT OF ECONOMIC DEVELOPMENT	42.34 D 14	mi r	
4 CSR 240-2.135	Public Service Commission	42 MoReg 14	This Issue	
4 CSR 240-4.015 4 CSR 240-4.017	Public Service Commission	42 MoReg 17 42 MoReg 18		
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4 CSR 240-40.030	Public Service Commission	41 MoReg 1898	42 MoReg 738	
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4 CSR 265-2.020 4 CSR 265-2.030	Division of Motor Carrier and Railroad Safety	41 MoReg 1660R		
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1 CBR 203 2.030	(Changed to 7 CSR 265-10.051)	ii Moreg 1002		
4 CSR 265-2.055	Division of Motor Carrier and Railroad Safety	41 MoReg 1662		
	(Changed to 7 CSR 265-10.052)			
4 CSR 265-2.057	Division of Motor Carrier and Railroad Safety	41 MoReg 1663R		
4 CSR 265-2.065	Division of Motor Carrier and Railroad Safety	41 MoReg 1663R		
4 CSR 265-2.067	Division of Motor Carrier and Railroad Safety	41 MoReg 1664R		
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8 CSR	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Department of Labor and Industrial Relations			41 MoReg 845
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10 CSR 26-2.044	Petroleum and Hazardous Substance Storage Tanks		41 MoReg 1171	42 MoReg 624	
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10 CSR 30-4.050	(Changed to 2 CSR 90-62.040) Land Survey		42 MoReg 28	42 MoReg 736	
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3 CSR 70-10-10  MO HealthNet Division	13 CSR 70-3.030	MO HealthNet Division		41 MoReg 1557	42 MoReg 679	
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20 CSR   Applied Behavior Analysis Maximum Benefit   42 MoReg 321		DEDI DEL CENTE OF DIGINAL AND THE STATE OF	21.1 Y 12.100 Y 10.10	IG AND DROFFIGGEO	VIII DEGLOSSO ISTANI	
20 CSR   Construction Claims Binding Arbitration Cap   41 MoReg 1925   20 CSR   Soweriegin Immunity Limits   41 MoReg 1925   20 CSR   200 State Legal Expense Fund Cap   41 MoReg 1925   20 CSR 2015-1.030   Acupuncturist Advisory Committee   42 MoReg 156   20 CSR 2030-16.010   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 31   20 CSR 2030-16.020   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 31   20 CSR 2030-16.030   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 32   42 MoReg 742    20 CSR 2030-16.050   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 34   42 MoReg 742    20 CSR 2030-16.060   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 35   42 MoReg 743    20 CSR 2030-16.060   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 35   42 MoReg 743    20 CSR 2030-16.060   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects   42 MoReg 36   42 MoReg 743    20 CSR 2030-16.080   Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architec	20 CSP		JAL INSTITUTION	S AND PROFESSION	NAL REGISTRATION	42 MoDeg 321
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12 CSR 10-41.010	Annual Adjusted Rate of Interest	.41 MoReg 1755 .	Jan. 1, 2017.	June 29, 2017
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15 CSR 30-3.010	Voter Identification Affidavit (Res)	.July 3, 2017 Issue	June 1, 2017.	Feb. 22, 2018
15 CSR 30-3.020	Provisional Ballots and Envelopes for Registered Voters under Voter Identification Law	.July 3, 2017 Issue	June 1, 2017 .	Feb. 22, 2018
15 CSR 30-3.030	Procedures for Registered Voters Returning to the Polling Place with Identification	July 3 2017 Issue	June 2 2017	Feb. 22, 2018
15 CSR 30-3.040	Procedures for Identity Verification for Provisional Ballots		June 2, 2017 .	
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15 CSR 30-3.050	Voter Inquiries as to Whether Provisional Ballot for Registered Voter was Counted	July 3 2017 Issue	June 1 2017	Fab 22 2018
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22 CSR 10-2.089	Pharmacy Employer Group Waiver Plan for Medicare Primary Members	41 MoReg 1773	Ian 1 2017	June 29 2017
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22 CSR 10-3.057	Medical Plan Benefit Provisions and Covered Charges	.41 MoReg 1783 .	Jan. 1, 2017	June 29, 2017
22 CSR 10-3.060	PPO 600 Plan, PPO 1000 Plan, and Health Savings			
	Account Plan Limitations	.41 MoReg 1792 .	Jan. 1, 2017 .	June 29, 2017
22 CSR 10-3.090	Pharmacy Benefit Summary	.41 MoReg 1794 .	Jan. 1, 2017 .	June 29, 2017
22 CSR 10-3.150	Disease Management Services Provisions and			
	Limitations (Res)	.41 MoReg 1796 .	Jan. 1, 2017	June 29, 2017

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Executive			
Orders	Subject Matter	Filed Date	<b>Publication</b>
	2017		
17-16	Temporarily grants the Director of the Missouri Department of Revenue		
	discretionary authority to adjust certain rules and regulations.	May 11, 2017	Next Issue
17-15	Temporarily grants the Director of the Missouri Department of Health		
	and Senior Services discretionary authority to adjust certain rules and regulations.	May 8, 2017	Next Issue
17-14	Temporarily grants the Director of the Missouri Department of Natural	141ay 0, 2017	Treat Issue
	Resources discretionary authority to adjust certain environmental rules		
	and regulations.	May 4, 2017	Next Issue
17-13	Activates the state militia in response to severe weather that began on		
17.13	April 28, 2017.	April 30, 2017	This Issue
17-12	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather beginning on April 28,2017.	April 28, 2017	This Issue
17-11	Establishes the Boards and Commissions Task Force to recommend	April 26, 2017	This issue
1, 11	comprehensive executive and legislative reform proposals to the governor		
	by October 31, 2017.	April 11, 2017	42 MoReg 779
17-10	Designates members of the governor's staff to have supervisory authority		
	over departments, division, and agencies of state government.	April 7, 2017	42 MoReg 777
17-09	Establishes parental leave for state employees of the executive branch of		
	Missouri state government and encourages other state officials to adopt comparable policies.	March 13, 2017	42 MoReg 429
17-08	Declares a State of Emergency and activates the Missouri State Emergency	Widicii 13, 2017	42 WOREG 429
17 00	Operations Plan due to severe weather that began on March 6.	March 7, 2017	42 MoReg 427
17-07	Establishes the Governor's Committee for Simple, Fair, and Low Taxes to	,	
	recommend proposed reforms to the governor by June 30, 2017.	January 25, 2017	42 MoReg 315
17-06	Orders that the Missouri State Emergency Operations Plan be activated.		
	Further orders state agencies to provide assistance to the maximum extent		
	practicable and directs the Adjutant General to call into service such portions of the organized militia as he deems necessary.	January 12, 2017	42 MoReg 267
17-05	Activates the Missouri State Emergency Operation Center due to severe	January 12, 2017	42 Working 207
	weather expected to begin on Jan. 12, 2017.	January 11, 2017	42 MoReg 266
17-04	Establishes the position of Chief Operating Officer to report directly to the	<u> </u>	
	governor and serve as a member of the governor's executive team.	January 11, 2017	42 MoReg 264
17-03	Orders every state agency to immediately suspend all rulemaking until Feb.		
	28, 2017, and to complete a review of every regulation under its jurisdiction within the Code of State Properties by May 21, 2018	Innuary 10, 2017	42 MoDog 261
17-02	within the <i>Code of State Regulations</i> by May 31, 2018.  Orders state employees of the executive branch of Missouri state government	January 10, 2017	42 MoReg 261
17 02	to follow a specified code of conduct regarding ethics during the		
	Greitens administration.	January 9, 2017	42 MoReg 258
17-01	Rescinds Executive Orders 07-10, 88-26, 98-15, and 05-40 regarding the	•	·
	Governor's Advisory Council on Physical Fitness and Health and the		
	Missouri State Park Advisory Board.	January 6, 2017	42 MoReg 257
	2016		
16-10	Reauthorizes the Governor's Committee to End Chronic Homelessness		
10 10	until December 31, 2020.	December 30, 2016	42 MoReg 159
16-09	Advises that state offices in Cole County will be closed on Monday	,	<u>U</u>
	January 9, 2017.	December 23, 2016	42 MoReg 158
16-08	Advises that state offices will be closed on Friday, November 25, 2016.	October 24, 2016	41 MoReg 1659
16-07	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operations Plan be activated		
	as a result of storms that began on May 25, 2016. This order shall		
	terminate on June 26, 2016, unless extended.	May 27, 2016	41 MoReg 830
16-06	Declares that the next Missouri Poet Laureate will be named in June 2016	,·, <b>-</b>	11 110100 000
	and directs that a Missouri Poet Laureate be named biennially to serve for		
	two years at the pleasure of the governor. The order also includes		
	qualifications and responsibilities for the post. Additionally the Missouri	<b></b>	44.34.5
	Poet Laureate Advisory Committee is hereby established.	May 27, 2016	41 MoReg 828

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16-05	Directs the Department of Public Safety, with guidance from the Missouri Veteran's Commission and the Adjutant General of the State of Missouri, to coordinate events with the World War I Centennial Commission that recognize and remember efforts and sacrifices of all Americans during World War I.	May 27, 2016	41 MoReg 826
16-04	Orders all departments, agencies and boards, and commissions, in the Executive Branch subject to the authority of the governor to take all necessary action to amend initial employment applications by removing questions related to an individual's criminal history unless a criminal	,	
16-03	history would render an applicant ineligible for the position.  Extends Executive Orders 15-10, 15-11, and 16-02 until February 22, 2016, due to severe weather that began on December 22, 2015.	April 11, 2016  Jan. 22, 2016	41 MoReg 658 41 MoReg 299
16-02	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on December 22, 2015.	Jan. 6, 2016	41 MoReg 235
16-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	Jan. 4, 2016	41 MoReg 153

The rule number and the MoReg publication date follow each entry to this index.

#### **ACUPUNCTURIST ADVISORY COMMITTEE** maximum achievable control technology regulations; 10 CSR 10fees; 20 CSR 2015-1.030; 2/1/17 6.075; 11/15/16 new source performance regulations; 10 CSR 10-6.070; 11/15/16 **ADMINISTRATION, OFFICE OF** definition of terms; 1 CSR 20-5.015; 11/1/16 ARCHITECTS, PROFESSIONAL ENGINEERS, PROFES-SIONAL LAND SURVEYORS, AND PROFESSIONAL LAND-SCAPE ARCHITECTS, MISSOURI BOARD FOR leaves of absence: 1 CSR 20-5.020: 11/1/16 state official's salary compensation schedule; 1 CSR 10; 10/17/16 acceptance and publication by Missouri Department of Agriculture; 20 CSR 2030-18.040; 1/3/17, 5/1/17 accuracy of horizontal control; 20 CSR 2030-18.030; 1/3/17, AGRICULTURE, DEPARTMENT OF animal health inspection of meat and poultry; 2 CSR 30-10.010; 5/1/17 accuracy standards for property boundary surveys; 20 CSR 2030-16.040; 1/3/17, 5/1/17 application of schedule; 20 CSR 2030-16.010; 1/3/17, 5/1/17 Missouri agricultural and small business development authority Missouri dairy scholars program; 2 CSR 100-11.020; 5/2/16, 8/15/16 approved documents; 20 CSR 2030-17.080; 1/3/17, 5/1/17 approved monumentation; 20 CSR 2030-16.060; 1/3/17, 5/1/17 state milk board inspection fees; 2 CSR 80-5.010; 5/1/17 authorization for removal or alteration of corners; 20 CSR 2030-17.020; 1/3/17, 5/1/17 weights, measures, and consumer protection acceptance and publication by Missouri Department of Agriculture; 2 CSR 90-62.040; 1/3/17, 5/1/17 accuracy standard; 2 CSR 90-65.070; 1/3/17, 5/1/17 definitions 20 CSR 2030-16.020; 1/3/17, 5/1/17 20 CSR 2030-17.010; 1/3/17, 5/1/17 accuracy of horizontal controls; 2 CSR 90-62.030; 1/3/17. 20 CSR 2030-18.010; 1/3/17, 5/1/17 detail requirements for condominium surveys; 20 CSR 2030accuracy standards for property boundary surveys; 2 CSR 90-16.100; 1/3/17, 5/1/17 60.040; 1/3/17, 5/1/17 detail requirements for original surveys; 20 CSR 2030-16.080; application of standards 1/3/17, 5/1/17 2 CSR 90-60.010; 1/3/17, 5/1/17 detail requirements for resurveys; 20 CSR 2030-16.070; 1/3/17, 2 CSR 90-65.0l0; 1/3/17, 5/1/17 approved documents; 2 CSR 90-61.080; 1/3/17, 5/1/17 5/1/17 detail requirements for subdivision surveys; 20 CSR 2030-16.090; approved monumentation; 2 CSR 90-60.060; 1/3/17, 5/1/17 1/3/17, 5/1/17 general land surveying requirements; 20 CSR 2030-16.030; 1/3/17. authorization for removal or alteration of corners; 2 CSR 90-61.020; 1/3/17, 5/1/17 coordinate system for digital cadastral parcel mapping specified; 2 CSR 90-65.040; 1/3/17, 5/1/17 GPS survey guidelines; 20 CSR 2030-18.050; 1/3/17, 5/1/17 horizontal control classifications; 20 CSR 2030-18.020; 1/3/17, 5/1/17 definitions location of improvements and easements; 20 CSR 2030-16.110; 1/3/17, 5/1/17 Missouri coordinate system of 1983; 20 CSR 2030-17.070; 1/3/17, 2 CSR 90-60.020; 1/3/17, 5/1/17 2 CSR 90-61.010; 1/3/17, 5/1/17 2 CSR 90-62.010; 1/3/17, 5/1/17 2 CSR 90-65.030; 1/3/17, 5/1/17 monumentation; 20 CSR 2030-17.050; 1/3/17, 5/1/17 digital cadastral parcel mapping requirements pertaining to land parcels; 2 CSR 90-65.060; 1/3/17, 5/1/17 monument marking; 20 CSR 2030-17.060; 1/3/17, 5/1/17 procedure for filing documents; 20 CSR 2030-17.040; 1/3/17, digital cadastral parcel mapping requirements pertaining to the United States public land survey system; 2 CSR 90reestablished or restored corners; 20 CSR 2030-17.030; 1/3/17, 65.050; 1/3/17, 5/1/17 5/1/17 disclaimer; 2 CSR 90-65.080; 1/3/17, 5/1/17 general land surveying requirements; 2 CSR 90-60.030; required work order form; 20 CSR 2030-19.020; 1/3/17, 5/1/17 traverse survey guidelines; 20 CSR 2030-18.060; 1/3/17, 5/1/17 1/3/17, 5/1/17 use of Missouri coordinate system of 1983; 20 CSR 2030-16.050; 1/3/17, 5/1/17 general organization; 2 CSR 90-1.010; 1/3/17, 5/1/17 GPS survey guidelines; 2 CSR 90-62.050; 1/3/17, 5/1/17 use of Missouri coordinate system, 1983; 20 CSR 2030-16.050; horizontal control classification; 2 CSR 90-62.020; 1/3/17, 1/3/17, 5/1/17 5/1/17 waiver of 1 KM limitation; 20 CSR 2030-18.070; 1/3/17, 5/1/17 liquefied petroleum gases installation requirements; 2 CSR 90-10.013; 5/1/17 registration-training; 2 CSR 90-10.012; 5/1/17 ATTORNEY GENERAL human trafficking reporting of odorized LP gas release, fire, or explosion; 2 CSR 90-10.120; 5/1/17 conducting labor trafficking under false pretenses; 15 CSR 60-16.050; 5/1/17 storage; 2 CSR 90-10.014; 5/1/17 conducting sex trafficking under false pretenses; 15 CSR 60-16.040; 5/1/17 location of improvements and easements; 2 CSR 90-60.070; 1/3/17, 5/1/17 deceptively inducing participation in commercial sexual conduct

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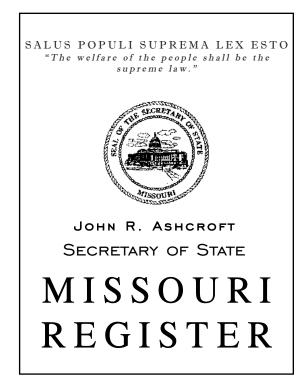
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