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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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June 1, 2017 June 15, 2017	July 3, 2017 July 17, 2017	July 31, 2017 July 31, 2017	August 30, 2017 August 30, 2017
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February 1, 2018 February 15, 2018	March 1, 2018 March 15, 2018	March 31, 2018 March 31, 2018	April 30, 2018 April 30, 2018

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 www.sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

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

Title		Division	Chapter	Rule
3	CSR	10-	4	.115
Department	<i>Code of State Regulations</i>	Agency Division	General area regulated	Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in 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 paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

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The *Code* address is www.sos.mo.gov/adrules/csr/csr

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Statement of Ownership, Management, and Circulation (Requester Publications Only)

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Full Name	Complete Mailing Address

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Full Name	Complete Mailing Address

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 The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes:
 Has Not Changed During Preceding 12 Months
 Has Changed During Preceding 12 Months *(Publisher must submit explanation of change with this statement.)*

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	(2) In-County Paid/Requested Mail Subscriptions stated on PS Form 3541. (Include direct written request from recipient, telemarketing, and Internet requests from recipient, paid subscriptions including nominal rate subscriptions, employer requests, advertiser's proof copies, and exchange copies.)	40	39
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f. Total Distribution (Sum of 15c and e) ▶		157	139
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* If you are claiming electronic copies, go to line 16 on page 3. If you are not claiming electronic copies, skip to line 17 on page 3.




Statement of Ownership, Management, and Circulation (Requester Publications Only)

16. Electronic Copy Circulation	Average No. Copies Each Issue During Previous 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Requested and Paid Electronic Copies	▶ N/A	N/A
b. Total Requested and Paid Print Copies (Line 15c) + Requested/Paid Electronic Copies (Line 16a)	▶ 117	99
c. Total Requested Copy Distribution (Line 15f) + Requested/Paid Electronic Copies (Line 16a)	▶ 157	139
d. Percent Paid and/or Requested Circulation (Both Print & Electronic Copies) (16b divided by 16c × 100)	▶ 75%	66%

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17. Publication of Statement of Ownership for a Requester Publication is required and will be printed in the October 2, 2017 issue of this publication.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner	Date
	<u>9/15/17</u>

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

Rules 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.

Rules 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.

All 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program**

EMERGENCY AMENDMENT

13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services. The division is adding subparagraph (4)(A)1.Q.

PURPOSE: This amendment provides for a per diem decrease to nonstate-operated intermediate care facility for individuals with intellectual disabilities (ICF/IID) per diems of two and eighty-two hundredths percent (2.82%) effective for dates of service beginning September 1, 2017. This per diem decrease corresponds to the appropriation granted in the State Fiscal Year 2018 budget, approved by the governor, and is contingent upon approval by the Center for Medicare and Medicaid Services (CMS).

EMERGENCY STATEMENT: The Department of Social Services, MO HealthNet Division, by rule and regulation, must define the reasonable costs, manner, extent, quantity, quality, charges, and fees of medical assistance. Effective for State Fiscal Year (SFY) 2018, the appropriation reduced the funds available for nonstate-operated ICF/IID reimbursements. The MO HealthNet Division is carrying out the reduction by providing for a per diem decrease for nonstate-operated ICF/IID reimbursement rates by decreasing the per diem by two and eighty-two hundredths percent (2.82%) effective for dates of ser-

*vice beginning September 1, 2017. The rate decrease is necessary to ensure that payments for nonstate-operated ICF/IID per diem rates are in-line with the funds appropriated for that purpose. There is a total of seven (7) nonstate-operated ICF/IIDs currently enrolled in MO HealthNet which will be subject to a per diem decrease in its reimbursement rate effective for dates of service beginning September 1, 2017. This emergency amendment will ensure payment for nonstate-operated ICF/IID services to approximately seventy-seven (77) ICF/IID Missourians in accordance with the appropriation authority. For the SFY 2018 payment to be made, a Medicaid State Plan Amendment is required to be submitted and approved by the Centers for Medicare and Medicaid Services (CMS). This emergency amendment must be implemented on a timely basis to ensure that quality nonstate-operated ICF/IID services continue to be provided to MO HealthNet participants in nonstate-operated ICF/IID facilities during SFY 2018 in accordance with the appropriation authority. As a result, the MO HealthNet Division finds an immediate danger to public health, safety, and/or welfare and a compelling governmental interest, which requires emergency action. The MO HealthNet Division has a compelling governmental interest in providing continued cash flow for ICF/IID services. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended by the *Missouri* and *United States Constitutions*. The MO HealthNet Division believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 22, 2017, becomes effective September 1, 2017, and expires February 27, 2018.*

(4) Prospective Reimbursement Rate Computation.

(A) Except in accordance with other provisions of this rule, the provisions of this section shall apply to all providers of ICF/IID services certified to participate in Missouri's MO HealthNet program.

1. ICF/IID facilities.

A. Except in accordance with other provisions of this rule, the MO HealthNet program shall reimburse providers of these LTC services based on the individual MO HealthNet-participant days of care multiplied by the Title XIX prospective per diem rate less any payments collected from participants. The Title XIX prospective per diem reimbursement rate for the remainder of state Fiscal Year 1987 shall be the facility's per diem reimbursement payment rate in effect on October 31, 1986, as adjusted by updating the facility's allowable base year to its 1985 fiscal year. Each facility's per diem costs as reported on its Fiscal Year 1985 Title XIX cost report will be determined in accordance with the principles set forth in this rule. If a facility has not filed a 1985 fiscal year cost report, the most current cost report on file with the department will be used to set its per diem rate. Facilities with less than a full twelve- (12-) month 1985 fiscal year will not have their base year rates updated.

B. For state FY-88 and dates of service beginning July 1, 1987, the negotiated trend factor shall be equal to two percent (2%) to be applied in the following manner: Two percent (2%) of the average per diem rate paid to both state- and nonstate-operated ICF/IID facilities on June 1, 1987, shall be added to each facility's rate.

C. For state FY-89 and dates of service beginning January 1, 1989, the negotiated trend factor shall be equal to one percent (1%) to be applied in the following manner: One percent (1%) of the average per diem rate paid to both state- and nonstate-operated ICF/IID facilities on June 1, 1988, shall be added to each facility's rate.

D. For state FY-91 and dates of service beginning July 1, 1990, the negotiated trend factor shall be equal to one percent (1%) to be applied in the following manner: One percent (1%) of the average per diem rate paid to both state- and nonstate-operated ICF/IID facilities on June 1, 1990, shall be added to each facility's rate.

E. FY-96 negotiated trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning January 1, 1996, of six dollars

and seven cents (\$6.07) per patient day for the negotiated trend factor. This adjustment is equal to four and six-tenths percent (4.6%) of the weighted average per diem rates paid to nonstate-operated ICF/IID facilities on June 1, 1995, of one hundred and thirty-one dollars and ninety-three cents (\$131.93).

F. State FY-99 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning July 1, 1998, of four dollars and forty-seven cents (\$4.47) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 1998, of one hundred forty-eight dollars and ninety-nine cents (\$148.99).

G. State FY-2000 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning July 1, 1999, of four dollars and sixty-three cents (\$4.63) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per diem rate paid to nonstate-operated ICF/IID facilities on April 30, 1999, of one hundred fifty-four dollars and forty-three cents (\$154.43). This increase shall only be used for increases for the salaries and fringe benefits for direct care staff and their immediate supervisors.

H. State FY-2001 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning July 1, 2000, of four dollars and eighty-one cents (\$4.81) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per diem rate paid to nonstate-operated ICF/IID facilities on April 30, 2000, of one hundred sixty dollars and twenty-three cents (\$160.23). This increase shall only be used for increases for salaries and fringe benefits for direct care staff and their immediate supervisors.

I. State FY-2007 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase of seven percent (7%) to their per diem rates effective for dates of service billed for state fiscal year 2007 and thereafter. This adjustment is equal to seven percent (7%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2006.

J. State FY-2008 trend factor. Effective for dates of service beginning July 1, 2007, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of two percent (2%) for the trend factor. This adjustment is equal to two percent (2%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2007.

K. State FY-2009 trend factor. Effective for dates of service beginning July 1, 2008, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of three percent (3%) for the trend factor. This adjustment is equal to three percent (3%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2008.

L. State FY-2009 catch up increase. Effective for dates of service beginning July 1, 2008, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of thirteen and ninety-five hundredths percent (13.95%). This adjustment is equal to thirteen and ninety-five hundredths percent (13.95%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2008. This increase is intended to provide compensation to providers for the years (2003, 2004, 2005, and 2006) where no trend factor was given. The catch up increase was based on the CMS PPS Skilled Nursing Facility Input Price Index (4 quarter moving average).

M. State FY-2012 trend factor. Effective for dates of service beginning October 1, 2011, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of one and four tenths percent (1.4%) for the trend factor. This adjustment is equal to one and four tenths percent (1.4%) of the per diem rate paid to nonstate-operated ICF/IID facilities on September 30, 2011.

N. State FY-2014 trend factor. Effective for dates of service beginning January 1, 2014, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of three percent (3%) for the trend factor. This adjustment is equal to three percent

(3%) of the per diem rate paid to nonstate-operated ICF/IID facilities on December 31, 2013.

O. State FY-2016 trend factor. Effective for dates of service beginning February 1, 2016, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of one percent (1%) for the trend factor. This adjustment is equal to one percent (1%) of the per diem rate paid to nonstate-operated ICF/IID facilities on January 31, 2016.

P. State FY-2017 trend factor. Effective for dates of service beginning September 1, 2016, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of two percent (2%) for the trend factor. This adjustment is equal to two percent (2%) of the per diem rate paid to nonstate-operated ICF/IID facilities on August 31, 2016.

Q. State FY-2018 per diem adjustment. Effective for dates of service beginning September 1, 2017, all nonstate-operated ICF/IID facilities shall be subject to a decrease to their per diem rates of two and eighty-two hundredths percent (2.82%). This adjustment is equal to two and eighty-two hundredths percent (2.82%) of the per diem rate paid to nonstate-operated ICF/IID facilities on August 31, 2017.

2. Adjustments to rates. The prospectively determined reimbursement rate may be adjusted only under the following conditions:

A. When information contained in a facility's cost report is found to be fraudulent, misrepresented, or inaccurate, the facility's reimbursement rate may be reduced, both retroactively and prospectively, if the fraudulent, misrepresented, or inaccurate information as originally reported resulted in establishment of a higher reimbursement rate than the facility would have received in the absence of this information. No decision by the MO HealthNet agency to impose a rate adjustment in the case of fraudulent, misrepresented, or inaccurate information in any way shall affect the MO HealthNet agency's ability to impose any sanctions authorized by statute or rule. The fact that fraudulent, misrepresented, or inaccurate information reported did not result in establishment of a higher reimbursement rate than the facility would have received in the absence of the information also does not affect the MO HealthNet agency's ability to impose any sanctions authorized by statute or rules;

B. In accordance with subsection (6)(B) of this rule, a newly constructed facility's initial reimbursement rate may be reduced if the facility's actual allowable per diem cost for its first twelve (12) months of operation is less than its initial rate;

C. When a facility's MO HealthNet reimbursement rate is higher than either its private pay rate or its Medicare rate, the MO HealthNet rate will be reduced in accordance with subsection (2)(B) of this rule;

D. When the provider can show that it incurred higher cost due to circumstances beyond its control, and the circumstances are not experienced by the nursing home or ICF/IID industry in general, the request must have a substantial cost effect. These circumstances include, but are not limited to:

(I) Acts of nature, such as fire, earthquakes, and flood, that are not covered by insurance;

(II) Vandalism, civil disorder, or both; or

(III) Replacement of capital depreciable items not built into existing rates that are the result of circumstances not related to normal wear and tear or upgrading of existing system;

E. When an adjustment to a facility's rate is made in accordance with the provisions of section (6) of this rule; or

F. When an adjustment is based on an Administrative Hearing Commission or court decision.

AUTHORITY: sections 208.153, 208.159, and 208.201, RSMo 2016. This rule was previously filed as 13 CSR 40-81.083. Original rule filed Aug. 13, 1982, effective Nov. 11, 1982. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 22, 2017, effective Sept. 1, 2017, expires Feb. 27, 2018. A proposed amendment covering this same material is published in this issue of the Missouri Register.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

EMERGENCY RESCISSION

22 CSR 10-2.094 Tobacco-Free Incentive Provisions and Limitations. The rule established the policy of the board of trustees in regards to the Strive for Wellness[®] Tobacco-Free Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

PURPOSE: This rule is being rescinded and readopted to include detailed language to clarify Tobacco-Free Incentive Provisions and Limitations.

EMERGENCY STATEMENT: This emergency rescission must be in place by October 1, 2017, in accordance with the new plan year. Therefore, this emergency rescission is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this rescission be filed as an emergency rescission to maintain the integrity of the current health care plan. This emergency rescission must become effective October 1, 2017, to fulfill the compelling governmental interest of offering continuous health insurance to officers, state and public entity employees, retirees, and their families. This rescission reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed rescission, which covers this same material, is published in this issue of the *Missouri Register*. This emergency rescission complies with the protections extended by the *Missouri* and *United States Constitutions* and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency rescission was filed August 31, 2017, becomes effective October 1, 2017, and expires March 29, 2018.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Nov. 1, 2011, effective Nov. 25, 2011, expired May 22, 2012. Original rule filed Nov. 1, 2011, effective April 30, 2012. For intervening history, please consult the *Code of State Regulations*. Emergency rescission filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. A proposed rescission covering this same material is published in this issue of the *Missouri Register*.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

EMERGENCY RULE

22 CSR 10-2.094 Tobacco-Free Incentive Provisions and Limitations

PURPOSE: The rule establishes the policy of the board of trustees in

regards to the Strive for Wellness[®] Tobacco-Free Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

EMERGENCY STATEMENT: This emergency rule must be in place by October 1, 2017, in accordance with open enrollment for the new plan year. Therefore, this emergency rule is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and allows members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this rule be filed as an emergency rule in order to maintain the integrity of the current health care plan. This emergency rule must become effective October 1, 2017 to fulfill the compelling governmental interest of offering continuous health insurance to officers, state and public entity employees, retirees, and their families. This emergency rule reflects changes made to the plan by the MCHCP Board of Trustees. A proposed rule, which covers the same material, is published in this issue of the *Missouri Register*. This emergency rule complies with the protections extended in the *Missouri* and *United States Constitutions* and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2017, becomes effective October 1, 2017, and expires March 29, 2018.

(1) Strive for Wellness[®] Tobacco-Free Incentive—The Tobacco-Free Incentive is a voluntary program that eligible members may elect to participate in to earn a reduction in premium. Eligible members are responsible for completing requirements.

(2) Tobacco-Free Incentive—The Strive for Wellness[®] Tobacco-Free Incentive is a reduction in premium of forty dollars (\$40) per month per eligible participant who is compliant with this rule.

(3) Eligibility—The following members enrolled in a Missouri Consolidated Health Care Plan (MCHCP), Preferred Provider Organization (PPO), or Health Savings Account (HSA) Plan are eligible to participate in the Tobacco-Free Incentive:

(A) Active employee subscribers;

(B) Non-Medicare spouses covered by a Tobacco-Free Incentive eligible subscriber and Medicare primary spouses of active employee subscribers; and

(C) Non-Medicare subscribers.

(4) Limitations and exclusions—The following members are not eligible to participate in the Tobacco-Free Incentive:

(A) Members under the age of eighteen (18) years;

(B) Dependent children;

(C) Subscriber (with the exception of active employee subscriber) who has Medicare as primary coverage;

(D) Spouse (with the exception of spouse of active employee subscriber) who has Medicare as primary coverage;

(E) TRICARE Supplement Plan subscriber;

(F) Spouse covered by ineligible subscriber; and

(G) The subscriber and/or spouse will become ineligible to continue to participate the first day of the month in which Medicare becomes his/her primary payer.

(5) Participation.

(A) Each eligible member must participate separately.

(B) In order to receive the Tobacco-Free Incentive, eligible members must complete one (1) of the following every plan year, for the incentive to be effective the first day of the second month after MCHCP receives the Tobacco Promise form and applicable requirements are completed:

1. Submit a Tobacco-Free Promise form; or
2. Submit a Quit Tobacco Promise form and agree to receive the Quit Tobacco Road Map.

(C) Eligible members adding medical coverage must complete one (1) of the following within thirty-one (31) days of his/her medical coverage effective date for the incentive to be effective the first day his/her medical coverage is effective:

1. Submit a Tobacco-Free Promise form; or
2. Submit a Quit Tobacco Promise form and agree to receive the Quit Tobacco Road Map.

(D) All forms can be completed through the eligible member's myMCHCP account or downloaded from MCHCP's website and printed for completion. Completed printed forms must be submitted to MCHCP by fax, mail, in person, or uploaded to the eligible member's myMCHCP account.

(E) Eligible members participating in the Tobacco-Free Incentive whose coverage ends due to the subscriber's termination of all employment with the state and who then regains coverage effective in the same plan year because the subscriber is rehired as a new state employee, will receive the Tobacco-Free Incentive effective the first day his/her medical coverage is effective after the subscriber is rehired.

(F) An eligible member completing the Tobacco-Free Incentive requirements in October of a plan year, who is eligible for but not currently receiving the Tobacco-Free Incentive, will receive the incentive for December of the current plan year, in addition to the next plan year.

(G) Eligible members who completed the Tobacco-Free Promise form and who, thereafter, use a tobacco product, must notify MCHCP by phone, fax, or mail the next business day and MCHCP will mail the Quit Tobacco Road Map.

(H) The Tobacco Free Incentive shall begin January 1 and end December 31 of each plan year.

(6) A waiver may be granted if an eligible member requests a waiver in writing along with a provider's written certification that it is medically inadvisable for the eligible member to quit tobacco.

(7) MCHCP and/or its vendor may audit participation information for accuracy. Misrepresentation or fraud could lead to loss of the Tobacco-Free Incentive and/or prosecution.

(8) MCHCP and/or its vendor may utilize participation data for purposes of offering additional programs in accordance with the MCHCP privacy policy.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Nov. 1, 2011, effective Nov. 25, 2011, expired May 22, 2012. Original rule filed Nov. 1, 2011, effective April 30, 2012. For intervening history, please consult the Code of State Regulations. Emergency rescission and rule filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. A proposed rescission and rule covering this same material is published in this issue of the Missouri Register.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

EMERGENCY RESCISSION

22 CSR 10-2.120 Partnership Incentive Provisions and

Limitations. This rule established the policy of the board of trustees in regards to the Strive for Wellness® Partnership Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

PURPOSE: This rule is being rescinded and readopted to include detailed language to clarify Strive for Wellness® Partnership Incentive Provisions and Limitations.

EMERGENCY STATEMENT: This emergency rescission must be in place by October 1, 2017, in accordance with the new plan year. Therefore, this emergency rescission is necessary to serve a compelling governmental interest of protecting members (employees, retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and will allow members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this rescission be filed as an emergency rescission to maintain the integrity of the current health care plan. This emergency rescission must become effective October 1, 2017, to fulfill the compelling governmental interest of offering continuous health insurance to officers, state and public entity employees, retirees, and their families. This rescission reflects changes made to the plan by the Missouri Consolidated Health Care Plan Board of Trustees. A proposed rescission, which covers this same material, is published in this issue of the Missouri Register. This emergency rescission complies with the protections extended by the Missouri and United States Constitutions and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency rescission was filed August 31, 2017, becomes effective Oct. 1, 2017, and expires March 29, 2018.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Aug. 28, 2012, effective Oct. 1, 2012, terminated Feb. 27, 2013. Original rule filed Aug. 28, 2012, effective Feb. 28, 2013. For intervening history, please consult the Code of State Regulations. Emergency rescission filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. A proposed rescission covering this same material is published in this issue of the Missouri Register.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

EMERGENCY RULE

22 CSR 10-2.120 Partnership Incentive Provisions and Limitations

PURPOSE: This rule establishes the policy of the board of trustees in regards to the Strive for Wellness® Partnership Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

EMERGENCY STATEMENT: This emergency rule must be in place by October 1, 2017, in accordance with open enrollment for the new plan year. Therefore, this emergency rule is necessary to serve a compelling governmental interest of protecting members (employees,

retirees, officers, and their families) enrolled in the Missouri Consolidated Health Care Plan (MCHCP) from the unintended consequences of confusion regarding eligibility or availability of benefits and allows members to take advantage of opportunities for reduced premiums for more affordable options without which they may forgo coverage. Further, it clarifies member eligibility and responsibility for various types of eligible charges, beginning with the first day of coverage for the new plan year. It may also help ensure that inappropriate claims are not made against the state and help protect the MCHCP and its members from being subjected to unexpected and significant financial liability and/or litigation. It is imperative that this rule be filed as an emergency rule in order to maintain the integrity of the current health care plan. This emergency rule must become effective October 1, 2017 to fulfill the compelling governmental interest of offering continuous health insurance to officers, state and public entity employees, retirees, and their families. This emergency rule reflects changes made to the plan by the MCHCP Board of Trustees. A proposed rule, which covers this same material, is published in this issue of the *Missouri Register*. This emergency rule complies with the protections extended in the *Missouri and United States Constitutions* and limits its scope to the circumstances creating the emergency. The MCHCP follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances. This emergency rule was filed August 31, 2017, becomes effective October 1, 2017, and expires March 29, 2018.

(1) Strive for Wellness® Partnership Incentive—The Partnership Incentive is a voluntary program that eligible members may elect to participate in to earn a reduction in premium. Eligible members are responsible for completing requirements.

(2) Partnership Incentive—The Strive for Wellness® Partnership Incentive is a reduction in premium of twenty-five dollars (\$25) per month per eligible member who is compliant with this rule.

(3) Eligibility—The following members enrolled in a Missouri Consolidated Health Care Plan (MCHCP), Preferred Provider Organization (PPO), or Health Savings Account (HSA) Plan are eligible to participate in the Partnership Incentive:

- (A) Active employee subscribers; and
- (B) Non-Medicare subscribers.

(4) Limitations and exclusions—The following members are not eligible to participate in the Partnership Incentive:

- (A) Subscribers under the age of eighteen (18) years;
- (B) Dependents;
- (C) TRICARE Supplement Plan subscribers;
- (D) Subscriber (with the exception of active employee subscriber) who has Medicare as primary coverage; and
- (E) When Medicare becomes a subscriber's primary insurance payer, the subscriber (with the exception of active employee subscriber) is no longer eligible to participate and will lose the Partnership Incentive the first day of the month in which Medicare becomes primary.

(5) Participation.

(A) In order to receive the Partnership Incentive, eligible members must complete all of the following every plan year for the incentive to be effective the first day of the second month after the requirements are completed:

- 1. The Partnership Promise;
- 2. The Health Assessment; and
- 3. The Health Education Quiz. A series of questions administered by MCHCP designed to measure understanding of MCHCP benefits and/or general health knowledge.

(B) The requirements must be completed through the member's myMCHCP account.

(C) Eligible members adding medical coverage must complete all

of the following within thirty-one (31) days of his/her medical coverage effective date (unless otherwise specified) for the incentive to be effective the first day his/her medical coverage is effective:

- 1. The Partnership Promise;
- 2. The Health Assessment; and
- 3. The Health Education Quiz.

(D) An employee earning the Partnership Incentive who then terminates all employment with the state and is rehired as a new state employee with medical coverage effective in the same plan year, will receive the Partnership Incentive effective the first day his/her medical coverage is effective after s/he is rehired.

(E) An eligible member completing the Partnership Incentive requirements in October of a plan year, who is eligible for but not currently receiving the Partnership Incentive, will receive the incentive for December of the current plan year, in addition to the next plan year.

(F) Eligible members who have earned the incentive may earn a *de minimis* gift for completing one (1) or more of the following MCHCP-approved health actions. An eligible member must report the completion of the health action to MCHCP by December 31 of each plan year, and may receive only one (1) gift per year. MCHCP-approved health actions are as follows:

- 1. Receiving a preventive lab screening such as cholesterol and blood sugar;
- 2. Receiving an annual preventive exam;
- 3. Attending three (3) Strive for Wellness® sponsored health education or physical activity events;
- 4. Participating in physical activity such as walking, jogging, Zumba, yoga, or weight-training for one hundred fifty (150) minutes each week for three (3) months;
- 5. Standing for at least two (2) hours during each workday for three (3) months; or
- 6. Walking one (1) million steps.

(G) The Partnership Incentive shall begin January 1 and end December 31 of each plan year.

(6) A waiver may be granted, in whole or in part, for the applicable plan year if a member requests a waiver of a requirement(s) in writing along with a provider's written certification that it is medically inadvisable for the member to participate in the applicable requirement(s).

(7) MCHCP and/or its vendor may audit participation information for accuracy. Misrepresentation or fraud could lead to loss of the Partnership Incentive and/or prosecution.

(8) MCHCP and/or its vendor may utilize participation data for purposes of offering additional programs in accordance with MCHCP's privacy policy.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Aug. 28, 2012, effective Oct. 1, 2012, terminated Feb. 27, 2013. Original rule filed Aug. 28, 2012, effective Feb. 28, 2013. For intervening history, please consult the Code of State Regulations. Emergency rescission and rule filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. A proposed rescission and rule covering this same material is published in this issue of the Missouri Register.

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

EXECUTIVE ORDER 17-20

WHEREAS, Marcellus Williams stands convicted of first degree murder and is currently awaiting execution of a sentence of death, which is scheduled to occur on August 22, 2017; and

WHEREAS, Williams contends that newly discovered DNA evidence, which was not available to be considered by the jury that convicted him, proves his innocence; and

WHEREAS, Article IV, Section 7 of the Missouri Constitution provides that “The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may deem proper...”; and

WHEREAS, the General Assembly, in furtherance of these constitutional powers, has given the Governor the discretion to appoint a Board of Inquiry, “whose duty it shall be to gather information, whether or not admissible in a court of law, bearing upon whether or not a person condemned to death should be executed or ... whether the person’s sentence should be commuted,” § 552.070 RSMo.; and

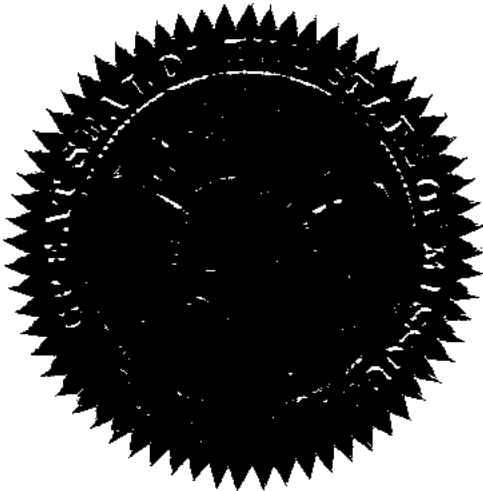
WHEREAS, Williams has submitted an application for clemency and requested the appointment of a Board of Inquiry pursuant to Section 552.070, RSMo., to review evidence and provide the Governor with a recommendation on Williams’ claim of innocence and application for clemency.

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, hereby invoke the provisions of Section 552.070, RSMo., and establish a Board of Inquiry in the matter of Marcellus Williams, an inmate condemned to death, and hereby order a stay of execution for Williams until such time as the Governor makes a final determination as to whether or not he should be granted clemency.

In furtherance of this Order, I hereby direct the following:

1. The Board will be comprised of five members appointed by the Governor.

2. The Board shall consider all evidence presented to the jury, in addition to newly discovered DNA evidence, and any other relevant evidence not available to the jury. The Board shall assess the credibility and weight of all evidence.
3. Pursuant to Section 552.070, RSMo., the Board shall have subpoena power over persons and things. The Board may apply to the Circuit Court of Cole County, or any other court of competent jurisdiction, for a subpoena.
4. Pursuant to Section 552.070, RSMo., the Board shall close all of its proceedings and hold all collected information in strict confidence.
5. Pursuant to Section 552.070, RSMo., the Board of Inquiry shall report and make a recommendation to the Governor as to whether or not Williams should be executed or his sentence of death commuted.



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 22nd day of August, 2017.

Eric R. Greitens
Governor

ATTEST:

John R. Ashcroft
Secretary of State

Under 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."

Entirely 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.

An 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*.

An 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.

If 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 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 3—Wildlife Code: Monetary Values of Fish
and Wildlife**

PROPOSED AMENDMENT

3 CSR 10-3.010 Monetary Values Established for Fish and Wildlife.

The commission proposes to amend section (1) and the authority section of this rule.

PURPOSE: This amendment modifies a source publication and contact address for the American Fisheries Society and corrects an inaccurate reference in the authority section.

(1) Monetary values set out in the publication of the American Fisheries Society entitled *Investigation and Monetary Values of Fish and Freshwater Mussel Kills (AFS Special Publication [#30, 2003]*

#35, 2017) are adopted by the Conservation Commission as the standard for evaluating replacement costs of fish and mussels resulting from kills. This publication is incorporated by reference, as published by the American Fisheries Society, *[5410 Grosvenor Lane/425 Barlow Place, Suite 110, Bethesda, MD 20814]*. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section [252.240] 252.040, RSMo [2000] 2016. Original rule filed Aug. 2, 1974, effective Aug. 13, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 5—Wildlife Code: Permits**

PROPOSED AMENDMENT

3 CSR 10-5.425 Resident Archery Antlerless Deer Hunting Permit.

The commission proposes to amend the purpose statement of this rule.

PURPOSE: [This rule establishes an urban archery deer hunting permit for residents and nonresidents.] This rule establishes an antlerless archery deer hunting permit for residents of the state.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 11, 1997, effective March 1, 1998. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 8—Wildlife Code: Trapping: Seasons, Methods**

PROPOSED AMENDMENT

3 CSR 10-8.510 Use of Traps. The commission proposes to amend subsection (4)(B) of this rule.

PURPOSE: This amendment removes the certification requirement for cable restraint users because travel to the available certification courses is burdensome upon constituents and the holding of such classes has been determined to be an unnecessary expenditure of state resources. The original concern that prompted the certification requirement was that illegal sets of cable restraint devices would harm free-roaming dogs. Since 2005, there have been minimal instances in which free-roaming dogs have been harmed by cable restraint devices and illegal sets have not been an issue. Other educational mechanisms are available to educate trappers without the burden of a certification course.

(4) Use of Snares and Cable Restraint Devices.

(B) Furbearers may be taken by trapping through the use of cable restraint devices during specified seasons (3 CSR 10-8.515) [by persons who have successfully completed the cable restraint training course taught by a certified instructor]. Cable restraint devices (as defined in 3 CSR 10-20.805) must have a loop size of twelve inches (12") in diameter or smaller when set, and the bottom of set restraint cable loop must be at least six inches (6") or greater above the ground. Cable restraint devices must be anchored solid or staked in a location not allowing entanglement (such as rooted, woody vegetation greater than one-half inch (1/2") in diameter), and shall not be capable of extending to within twelve inches (12") of a fence, nor shall be set using a drag, or used with a kill-pole. Cable restraint devices may not be used within one hundred fifty feet (150') of any residence, occupied building, or a driveway leading to a residence.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo [2000] 2016. Original rule filed Sept. 20, 1957, effective Dec. 31, 1957. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

PROPOSED AMENDMENT

3 CSR 10-9.110 General Prohibition; Applications. The commission proposes to amend paragraph (3)(H)1. of this rule.

PURPOSE: This amendment corrects the scientific name of species in the Approved Aquatic Species List.

(3) Fish and crayfish may be bought, sold, transported, propagated, taken, and possessed by any person without permit throughout the year in any number or size and by any method providing—

(H) Approved Aquatic Species List.

1. Fishes.

- A. Alligator gar (*Lepisosteus spatula*)
- B. American eel (*Anguilla rostrata*)
- C. Atlantic salmon (*Salmo salar*)
- D. Bighead carp (*Hypophthalmichthys nobilis*)
- E. Bigmouth buffalo (*Ictiobus cyprinellus*)
- F. Black bullhead (*[Ameiurus] Ameiurus melas*)
- G. Black crappie (*Pomoxis nigromaculatus*)
- H. Blue catfish (*Ictalurus furcatus*)
- I. Bluegill (*Lepomis macrochirus*)
- J. Blue sucker (*Cycleptus elongatus*)
- K. Bluntnose minnow (*Pimephales notatus*)
- L. Bowfin (*Amia calva*)
- M. Brook trout (*Salvelinus fontinalis*)
- N. Brown bullhead (*[Ameiurus] Ameiurus nebulosus*)
- O. Brown trout (*Salmo trutta*)
- P. Channel catfish (*Ictalurus punctatus*)
- Q. Coho salmon (*Oncorhynchus kisutch*)
- R. Common carp (*Cyprinus carpio*)
- S. Cutthroat trout (*Oncorhynchus clarkii*)
- T. Fathead minnow (*Pimephales promelas*)
- U. Flathead catfish (*Pylodictis olivaris*)
- V. Freshwater drum (*Aplodinotus grunniens*)
- W. Gizzard shad (*Dorosoma cepedianum*)
- X. Golden shiner (*Notemigonus crysoleucas*)
- Y. Golden trout (*Oncorhynchus [aguabonita] aguabonita*)
- Z. Goldfish (*Carassius auratus*)
- AA. Grass carp (*Ctenopharyngodon idella*)
- BB. Green sunfish (*Lepomis cyanellus*)
- CC. Largemouth bass (*Micropterus salmoides*)
- DD. Longear sunfish (*Lepomis megalotis*)
- EE. Longnose gar (*Lepisosteus osseus*)
- FF. Mosquitofish (*Gambusia affinis*)
- GG. Muskellunge (*Esox masquinongy*)
- HH. Northern pike (*Esox lucius*)
- II. Orangespotted sunfish (*Lepomis humilis*)
- JJ. Paddlefish (*Polyodon spathula*)
- KK. Pumpkinseed (*Lepomis gibbosus*)
- LL. Quillback (*Carpionodes cyprinus*)
- MM. Rainbow trout (*Oncorhynchus mykiss*)
- NN. Redear sunfish (*Lepomis microlophus*)
- OO. River carpsucker (*Carpionodes carpio*)
- PP. Sauger (*Sander canadensis*)
- QQ. Shortnose gar (*Lepisosteus platostomus*)
- RR. Shovelnose sturgeon (*Scaphirhynchus platyrhynchus*)
- SS. Smallmouth bass (*Micropterus dolomieu*)
- TT. Spotted bass (*Micropterus punctulatus*)
- UU. Spotted gar (*Lepisosteus oculatus*)
- VV. Striped bass (*Morone saxatilis*)
- WW. Threadfin shad (*Dorosoma petenense*)
- XX. Walleye (*Sander vitreus*)
- YY. Warmouth (*Lepomis gulosus*)
- ZZ. White bass (*Morone chrysops*)
- AAA. White crappie (*Pomoxis annularis*)
- BBB. White sucker (*Catostomus commersoni*)
- CCC. Yellow bullhead (*[Ameiurus] Ameiurus natalis*)
- DDD. Yellow perch (*Perca flavescens*)

2. Crustaceans.

- A. Calico ("papershell") crayfish (*Orconectes immunis*)
- B. Freshwater prawn (*Macrabrachi um rosenbergii*)
- C. Pacific white shrimp (*Litopenaeus vannamei*)

- D. Red swamp crawfish (*Procambarus clarkii*)
- E. Virile (“northern”) crayfish (*Orconectes virilis*)
- F. White River crawfish (*Procambarus acutus*)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule was previously filed as 3 CSR 10-4.110(5), (6), and (10). Original rule filed June 26, 1975, effective July 7, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department’s website at <http://short.mdc.mo.gov/Z49>. 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.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards

PROPOSED AMENDMENT

3 CSR 10-9.625 Field Trial Permit. The commission proposes to amend section (5) and the authority section of this rule.

PURPOSE: This amendment allows raccoon field trials to be conducted at night during all portions of the firearms deer hunting season, except the November portion of the season, and corrects an inaccurate reference in the authority section.

(5) Except as otherwise provided in this rule, permits will not be valid for hound field trials during or five (5) days prior to the spring turkey or firearms deer hunting season/s] except on established field trial areas. Permits for raccoon field trials will be valid during nighttime hours and provide for casting no more than four (4) dogs at one (1) time during or five (5) days prior to the spring turkey hunting season and during all but the November portion of the firearms deer hunting season. In field trials under permit, wildlife not prohibited in 3 CSR 10-7.410 may be chased by dogs under control, but may be pursued and taken only during the open seasons and only by persons possessing a valid hunting permit, except as provided in section (6) of this rule. The sponsoring organization shall issue identification bearing the field trial permit number to all persons without a valid hunting permit who enter dogs in a trial; provided, that this identification shall not be required for trials held entirely on one (1) contiguous tract of land where an agent of the department is provided with a complete list of the names and addresses of all participants before the trial.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section [252.240] 252.040, RSMo [2000] 2016. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department’s website at <http://short.mdc.mo.gov/Z49>. 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.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 10—Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

PROPOSED AMENDMENT

3 CSR 10-10.727 Record Keeping and Reporting Required: Commercial Fishermen. The commission proposes to amend sections (1) and (2) of this rule.

PURPOSE: This amendment removes reporting requirements for commercially-harvested common snapping and soft-shelled turtles.

(1) Commercial fishermen and roe fish dealers shall keep a dated receipt that includes the weight and species of fish[, and the weight of extracted fish eggs (raw or processed) of each species[, and the number and species of turtles] that were sold or given away and the name, address, and signature of the recipient. These receipts shall be retained for three (3) years and shall be made available for inspection by an authorized agent of the department at any reasonable time.

(2) Commercial fishermen and roe fish dealers shall submit a complete and accurate monthly report on a form furnished by the department showing the origin (water area), live weight, and species of fish and fish eggs[, and the number and species of turtles] taken or purchased by him/her during the preceding month, or a negative report if none were taken. Printed copies of these forms can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouri-conservation.org. Monthly reports must be received by the department within thirty (30) days of the end of each month. Failure to submit a monthly report shall be sufficient cause for the department to revoke the current year’s commercial fishing permit and deny renewal of the permit for the following year.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department’s website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 10—Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-10.744 Commercial Deer Processing: Permit, Privileges, Requirements. The commission proposes to amend section (1) and the authority section of this rule.

PURPOSE: This amendment clarifies existing requirements of this rule by specifically requiring a separate permit for each location where deer are commercially processed and stored and corrects an inaccurate reference in the authority section.

(1) To commercially process and store legally acquired deer taken from the wild stock of the state **at the specific location indicated on the permit.** Fee: twenty-five dollars (\$25).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section [252.240] 252.040, RSMo [2000] 2016. Original rule filed April 28, 1992, effective Dec. 3, 1992. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 10—Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-10.767 Taxidermy; Tanning: Permit, Privileges, Requirements. The commission proposes to amend section (1), add new section (2), renumber subsequent sections, and amend new section (5) and the authority section of this rule.

PURPOSE: This amendment clarifies existing requirements of this rule by specifically requiring a separate permit for each location where a person engages in the business of wildlife taxidermy or tanning. It also clarifies the privileges and requirements of a wildlife taxidermist for possessing, storing, transporting, shipping, and displaying wildlife and corrects an inaccurate reference in the authority section.

(1) To engage in the business of wildlife taxidermy or tanning **at the specific location indicated on the permit.** Fee: thirty dollars (\$30).

(2) Legally acquired wildlife may be possessed and stored by a licensed taxidermist or tanner **at the specific location indicated on the permit, but only for the purposes of tanning, mounting, or preserving.** A licensed taxidermist or tanner may also trans-

port and ship legally acquired wildlife to and from the location specified on the permit, and after tanning, mounting, or preserving, may exhibit or display such wildlife at locations other than the specific location indicated on the permit.

[(2)](3) Wildlife legally possessed may be shipped or delivered to a licensed taxidermist or tanner and may be mounted or preserved by him/her, except as provided under 3 CSR 10-4.135.

[(3)](4) Legally taken and possessed furbearers may be purchased by licensed taxidermists or tanners only from the taker or a licensed fur dealer and only for mounting or tanning. Only mounted or tanned specimens, and not raw pelts, may be sold by taxidermists and tanners.

[(4)](5) All licensed taxidermists and tanners shall keep accurate, up-to-date records of the number and species of all wildlife received, the full name and address of the consignor (or seller of furbearers), [and] the dates of all transactions and disposition of all wildlife, **and the specific locations where all tanned or mounted wildlife is being exhibited or displayed** on a form approved or provided by the department. Printed copies of this form can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and online at www.missouriconservation.org. These records and wildlife shall be available for inspection by an authorized agent of the department at any reasonable time. All completed records required by this rule shall be retained for three (3) years. Renewal of a permit shall be conditioned upon compliance with this rule.

[(5)](6) Raw pelts held under this permit after possession season for pelts shall not enter the raw fur market. All wildlife held by a licensed taxidermist or tanner shall be identifiable to the consignor. Unused parts of wildlife may be disposed of or sold by licensed taxidermists or tanners, but not for human consumption. Federal regulations apply to the mounting of migratory birds and endangered species.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section [252.240] 252.040, RSMo [2000] 2016. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED AMENDMENT

3 CSR 10-11.180 Hunting, General Provisions and Seasons. The commission proposes to add new subsection (4)(P) and re-letter subsequent subsections of this rule.

PURPOSE: This amendment adds an existing department area to the list of areas where hunting is prohibited except as authorized in department publications.

(4) Hunting is prohibited on the following department areas except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet and annual *Spring Turkey Hunting Regulations and Information* booklet:

(P) Burr Oak Woods Conservation Area

- [(P)](Q) Caldwell Memorial Wildlife Area
- [(Q)](R) Camdenton Conservation Service Center
- [(R)](S) Cape Girardeau Conservation Campus Nature Center
- [(S)](T) Central Regional Office and Conservation Research Center
- [(T)](U) Clearwater District Headquarters
- [(U)](V) Climax Springs Towersite
- [(V)](W) Clinton Office
- [(W)](X) Conservation Commission Headquarters
- [(X)](Y) Robert G. DeLaney Lake Conservation Area
- [(Y)](Z) Doniphan Towersite
- [(Z)](AA) Drovers Prairie Conservation Area
- [(AA)](BB) Engelmann Woods Natural Area
- [(BB)](CC) Eugene Towersite
- [(CC)](DD) Forest 44 Conservation Area
- [(DD)](EE) Foxglove Conservation Area
- [(EE)](FF) Friendly Prairie Conservation Area
- [(FF)](GG) Gay Feather Prairie Conservation Area
- [(GG)](HH) Goodson (Bittersweet Woods) Conservation Area
- [(HH)](II) Grandpa Chipley's Conservation Area
- [(II)](JJ) Gravois Creek Conservation Area
- [(JJ)](KK) Gravois Mills Access
- [(KK)](LL) Great Spirit Cave Conservation Area
- [(LL)](MM) Grundy Memorial Wildlife Area
- [(MM)](NN) Ronald and Maude Hartell Conservation Area
- [(NN)](OO) James R. Harter Conservation Area
- [(OO)](PP) Ruth and Paul Henning Conservation Area
- [(PP)](QQ) Hickory Canyons Natural Area
- [(QQ)](RR) Hickory Woods Conservation Area
- [(RR)](SS) Hinkson Woods Conservation Area
- [(SS)](TT) Houston Forestry Office
- [(TT)](UU) Hurley Radio Facility
- [(UU)](VV) Jefferson City Radio Facility
- [(VV)](WW) Joplin Towersite
- [(WW)](XX) Juden Creek Conservation Area
- [(XX)](YY) Roger Klamberg Woods Conservation Area
- [(YY)](ZZ) La Petite Gemme Prairie Conservation Area
- [(ZZ)](AAA) Lebanon Forestry Office
- [(AAA)](BBB) Lebanon Towersite
- [(BBB)](CCC) Lenox Towersite
- [(CCC)](DDD) Lichen Glade Conservation Area
- [(DDD)](EEE) Lipp Community Lake
- [(EEE)](FFF) Lipton Conservation Area
- [(FFF)](GGG) Little Osage Prairie
- [(GGG)](HHH) Lower Tatum Sauk Lake
- [(HHH)](III) Malta Bend Community Lake
- [(III)](JJJ) Mansfield Shop
- [(JJJ)](KKK) Maple Flats Access
- [(KKK)](LLL) Maple Woods Natural Area
- [(LLL)](MMM) Miller Community Lake
- [(MMM)](NNN) Mint Spring Conservation Area
- [(NNN)](OOO) Mount Vernon Prairie
- [(OOO)](PPP) Neosho District Headquarters
- [(PPP)](QQQ) New Madrid Forestry Office
- [(QQQ)](RRR) Niawathe Prairie Conservation Area
- [(RRR)](SSS) Northeast Regional Office
- [(SSS)](TTT) Northwest Regional Office
- [(TTT)](UUU) Norwood Shop
- [(UUU)](VVV) Onyx Cave Conservation Area

- [(VVV)](WWW) Ozark Regional Office
- [(WWW)](XXX) Parma Woods Range and Training Center (south portion)
- [(XXX)](YYY) Pawhuska Prairie
- [(YYY)](ZZZ) Pelican Island Natural Area
- [(ZZZ)](AAAA) Perry County Community Lake
- [(AAAA)](BBBB) Perryville District Headquarters
- [(BBBB)](CCCC) Phantom Forest Conservation Area
- [(CCCC)](DDDD) Pickle Springs Natural Area
- [(DDDD)](EEEE) Plad Towersite
- [(EEEE)](FFFF) Port Hudson Lake Conservation Area
- [(FFFF)](GGGG) Powder Valley Conservation Nature Center
- [(GGGG)](HHHH) Ray County Community Lake
- [(HHHH)](IIII) Rocheport Cave Conservation Area
- [(IIII)](JJJJ) Rockwoods Range
- [(JJJJ)](KKKK) Rockwoods Reservation
- [(KKKK)](LLLL) Rolla Office
- [(LLLL)](MMMM) Runge Conservation Nature Center
- [(MMMM)](NNNN) Rush Creek Conservation Area
- [(NNNN)](OOOO) Ryden Cave Conservation Area
- [(OOOO)](PPPP) Saeger Woods Conservation Area
- [(PPPP)](QQQQ) Salem Maintenance Center
- [(QQQQ)](RRRR) F. O. and Leda J. Sears Memorial Wildlife Area
- [(RRRR)](SSSS) Sedalia Office
- [(SSSS)](TTTT) Shawnee Mac Lakes Conservation Area
- [(TTTT)](UUUU) Shepherd of the Hills Fish Hatchery
- [(UUUU)](VVVV) Sims Valley Community Lake
- [(VVVV)](WWWW) Southeast Regional Office
- [(WWWW)](XXXX) Southwest Regional Office
- [(XXXX)](YYYY) Springfield Conservation Nature Center
- [(YYYY)](ZZZZ) Julian Steyermark Woods Conservation Area
- [(ZZZZ)](AAAAA) Tetzars Woods Conservation Area
- [(AAAAA)](BBBBB) Thirtyfour Corner Blue Hole
- [(BBBBB)](CCCCC) Robert H. Thompson Conservation Area
- [(CCCCC)](DDDDD) Tower Rock Natural Area
- [(DDDDD)](EEEEE) Truman Reservoir Management Lands (designated portion of the Grand River Bottoms Wildlife Management Area)
- [(EEEEE)](FFFFFF) Twin Borrow Pits Conservation Area
- [(FFFFFF)](GGGGG) Twin Pines Conservation Education Center
- [(GGGGG)](HHHHH) Tywappity Community Lake
- [(HHHHH)](IIIII) Ulman Towersite
- [(IIIII)](JJJJJ) Upper Mississippi Conservation Area (Clarksville Refuge)
- [(JJJJJ)](KKKKK) Wah'Kon-Tah Prairie (portion south of Highway 82)
- [(KKKKK)](LLLLL) Wah-Sha-She Prairie
- [(LLLLL)](MMMMM) Walnut Woods Conservation Area
- [(MMMMM)](NNNNN) Warrenton Office
- [(NNNNN)](OOOOO) White Aloe Creek Conservation Area
- [(OOOOO)](PPPPP) Wildcat Glade Natural Area
- [(PPPPP)](QQQQQ) Wild Cherry Ridge Conservation Area
- [(QQQQQ)](RRRRR) Walter Woods Conservation Area
- [(RRRRR)](SSSSS) Mark Youngdahl Urban Conservation Area

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED AMENDMENT

3 CSR 10-12.110 Use of Boats and Motors. The commission proposes to add subsection (2)(II) and re-letter subsequent subsections of this rule.

PURPOSE: This amendment prohibits the use of boats and motors on Union (Union City Lake), an area managed in cooperation with other public entities.

(2) Boats are prohibited on the following areas:

(II) Union (Union City Lake);

[(III)](JJ) University of Missouri (South Farm R-1 Lake);

[(JJ)](KK) Watershed Committee of the Ozarks (Valley Water Mill Lake); and

[(KK)](LL) Wentzville (Community Club Lake, Heartland Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED AMENDMENT

3 CSR 10-12.115 Bullfrogs and Green Frogs. The commission proposes to amend paragraphs (1)(A)10. and (1)(A)11. and add new paragraph (1)(A)12. to this rule.

PURPOSE: This amendment prohibits the use of bows as a method to take bullfrogs and green frogs on Union (Union City Lake), an area managed in cooperation with other public entities.

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, atlatl, gig, bow, snagging, snaring, grabbing, or pole and line except as further restricted by this chapter.

(A) Bows may not be used to take frogs on the following areas:

1. Blue Springs (Lake Remembrance);
2. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, A. Perry Philips Park Lake, Stephens Park Lake, Twin Lakes);
3. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
4. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
5. Jackson County (Alex George Lake, Bergan Lake, Bowlin Pond, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
6. Mark Twain National Forest (department-managed portions);
7. Mexico (Lakeview Lake, Kiwanis Lake);
8. Moberly (Beuth Park Lake, Rothwell Park Lake, Water Works Lake);
9. Odessa (Lake Venita);
10. Pleasant Hill (Pleasant Hill City Lake and Porter Park Lake); *[and]*
11. St. James (Scioto Lake)*[/]; and*
- 12. Union (Union City Lake).**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED AMENDMENT

3 CSR 10-12.135 Fishing, Methods. The commission proposes to amend subsections (3)(J), (8)(P), and (9)(J) and add new subsections (3)(K), (8)(Q), and (9)(K) to this rule.

PURPOSE: This amendment establishes a winter trout fishery and fishing methods allowed on Union (Union City Lake), an area managed in cooperation with other public entities.

(3) Gizzard shad may be taken from lakes and ponds by dip net or throw net, except at the following areas:

(J) St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake)*[/]*

(K) Union (Union City Lake).

(8) Only flies, artificial lures, and soft plastic baits (unscented) may be used from November 1 through January 31 on the following lakes:

(P) St. Louis County (Tilles Park Lake)/./

(Q) Union (Union City Lake).

(9) From November 1 through January 31, not more than one (1) pole and line may be used by one (1) person at any time and the use of natural or scented baits as chum is prohibited on the following lakes:

(J) St. Louis County (Carp Lake, Island Lake, Tilles Park Lake)/./

(K) Union (Union City Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Aug. 29, 2017.

PUBLIC COST: The proposed amendment will cost the Missouri Department of Conservation approximately three thousand nine hundred four dollars and fifty-one cents (\$3,904.51) to purchase and stock trout for one (1) new proposed winter trout fishery at Union (Union City Lake). It will cost the one (1) partnering municipality two thousand four hundred sixty-four dollars and eight cents (\$2,464.08) to cost share fifty percent (50%) of the trout purchase cost.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.*

**FISCAL NOTE
PUBLIC COST**

- I. **Department Title: Title 3 – Department of Conservation**
Division Title: Division 10 – Conservation Commission
Chapter Title: Chapter 12 – Wildlife Code: Special Regulations for Areas Owned by Other Entities

Rule Number and Name:	3 CSR 10-12.135 Fishing, Methods
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Conservation	\$3,904.51
City of Union, MO	\$2,464.08

III. WORKSHEET

Department of Conservation

Fish Cost (City of Union): 5 acres * 400 fish/acre * \$2.24/trout*.50 percent = **\$2,240.00**

Mileage (City of Union Delivery): 200 miles * \$1.152/mile = **\$230.40**

Staff Time (Delivery – City of Union): 2 staff*1.1 day*\$448.16/day = **\$985.95**

Staff time for Other Coordination: 1 cities*2 staff * 1/2 day*\$448.16/day = **\$448.16**

Subtotal: **\$3,904.51**

City of Union

Fish Cost: 5 acres * 400 fish/acre * \$2.24/trout*.50 percent = **\$2,240.00**

Coordination/Administration: 1 staff* 1/2 day*\$448.16/day = **\$224.08**

Subtotal: **\$2,464.08**

Total of Above: \$ 6,368.59 (Annual Cost)

IV. ASSUMPTIONS

- The Department will share fifty percent (50%) of the cost for the purchase of the trout with the city.
- The city will cover the other fifty percent (50%) of the cost of the trout.
- The cost per trout is two dollars and twenty-four cents (\$2.24). (Contract Price: Crystal Lakes Inc. beginning May 2015)
- Stocking rate is four hundred (400) per acre. (Source: A Plan for Allocation and Stocking Trout in MO (July 2009).
- City of Union (Union City Lake) is five (5) acres.
- The Department will provide for the delivery of the trout.

- The operation cost for a truck (road tractor – tandem axle) to deliver trout is one dollar and fifteen point two cents (\$1.152) per mile. (Source: MDC Operating Costs FY2014 vs.FY2015).
- Round trip from Montauk State Fish Hatchery to City of Union (Union City Lake) is (200) miles (two (2) staff – one and one tenth (1 1/10) of a day).
- Coordination for program administration and stocking (one-half (1/2) day for each city).
- Estimated cost for Fisheries personnel (four hundred forty-eight dollars and twelve cents (\$448.16) per day; fifty-six dollars and two cents (\$56.02) per hour) (Source: Fiscal Year 2015 Daily Investigative Costs for MDC staff). Used same rates for municipal staff.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 20—Wildlife Code: Definitions**

PROPOSED AMENDMENT

3 CSR 10-20.805 Definitions. The commission proposes to amend section (13), add new section (22), re-number subsequent sections, and amend the authority section of this rule.

PURPOSE: This amendment removes common snapping and soft-shelled turtles as eligible species for commercial harvest, defines the words "established field trial area" as used in the Code, and corrects an inaccurate reference in the authority section of this rule.

(13) Commercial fish: All fish except endangered species as listed in 3 CSR 10-4.111(3) and game fish as defined in this rule. Includes those species for which sale is permitted when legally obtained. For purposes of this Code, packaged salt water species or freshwater species not found in waters of this state, when the processed fish are truly labeled as to content, point of origin, and name and address of the processor, are exempt from restrictions applicable to native commercial fish. Commercial fish include [common snapping and soft-shelled turtles and] crayfish taken from waters open to commercial fishing. In the Mississippi River and that part of the St. Francis River which forms the boundary between the states of Arkansas and Missouri, commercial fish also include channel, blue, and flathead catfish at least fifteen inches (15") in total length. In the Mississippi River only, commercial fish also include paddlefish at least twenty-four inches (24") in length (measured from eye to fork of tail) and shovelnose sturgeon twenty-four inches to thirty-two inches (24"-32") in length (measured from tip of snout to fork of tail) upstream from Melvin Price Locks and Dam.

(22) Established field trial area: One (1) contiguous tract of privately-owned land that is fenced or enclosed in a manner to reasonably prevent dogs pursuing or chasing wildlife from leaving the area, where the primary use of the land is for training dogs to pursue and chase wildlife or to conduct field trials.

[(22)](23) Field trial: An organized event, contest, demonstration, or trial of dogs whether or not prizes or awards of any kind are offered, and where dogs may be used to chase, locate, pursue, or retrieve wildlife.

[(23)](24) Firearms: Pistols, revolvers, and rifles propelling a single projectile at one (1) discharge including those powered by spring, air, or compressed gas, and shotguns not larger than ten (10) gauge.

[(24)](25) Flies, lures, and baits: The following are authorized for use except where restricted in 3 CSR 10-6.415, 3 CSR 10-6.535, 3 CSR 10-11.205, 3 CSR 10-12.135, and 3 CSR 10-12.150.

(A) Natural and scented baits—A natural fish food such as bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn, and other food substances not containing any ingredient to stupefy, injure, or kill fish. Does not include flies or artificial lures. Includes dough bait, putty or paste-type bait, any substance designed to attract fish by taste or smell, and any fly, lure, or bait containing or used with such substances.

(B) Soft plastic bait (unscented)—Synthetic eggs, synthetic worms, synthetic grubs, and soft plastic lures.

(C) Artificial lure—A lure constructed of any material excluding soft plastic bait and natural and scented bait as defined in (A) or (B) above.

(D) Fly—An artificial lure constructed on a single-point hook, using any material except soft plastic bait and natural and scented bait as defined in (A) or (B) above, that is tied, glued, or otherwise permanently attached.

[(25)](26) Furbearing animals: Furbearers: Badger, beaver, black bear, bobcat, coyote, gray fox, long-tailed weasel, mink, mountain lion, muskrat, nutria, opossum, raccoon, red fox, river otter, spotted skunk, and striped skunk.

[(26)](27) Game birds: American coot, American woodcock, crows, ducks, Eurasian collared-dove, geese, gray partridge, mourning dove, northern bobwhite quail, ring-necked pheasant, ruffed grouse, sora rail, Virginia rail, white-winged dove, wild turkey, and Wilson's snipe.

[(27)](28) Game fish: Shall include the following in which the common names are to be interpreted as descriptive of, but not limiting, the classification by Latin names:

(A) *Ambloplites*, all species of goggle-eye (commonly known as Ozark bass, rock bass, shadow bass) and their hybrids.

(B) *Esox*, all species commonly known as muskellunge, tiger muskie, muskie-pike hybrid, northern pike, chain pickerel, grass pickerel.

(C) *Ictalurus*, all species except bullheads, commonly known as channel catfish, blue catfish, Mississippi cat, Fulton cat, spotted cat, white cat, willow cat, fiddler cat.

(D) *Lepomis gulosus*, commonly known as warmouth.

(E) *Micropterus*, all species of black bass and their hybrids, commonly known as largemouth bass, lineside bass, smallmouth bass, brown bass, Kentucky bass, spotted bass.

(F) *Morone*, all species and their hybrids, commonly known as white bass, yellow bass, striped bass.

(G) *Oncorhynchus*, *Salvelinus*, and *Salmo*, all species commonly known as salmon, char, and trout.

(H) *Polyodon*, all species, commonly known as paddlefish, spoon-bill.

(I) *Pomoxis*, all species, commonly known as crappie, white crappie, black crappie.

(J) *Pylodictis*, commonly known as flathead catfish, goujon, yellow cat, river cat.

(K) *Sander*, all species and their hybrids, commonly known as walleye, pike perch, jack salmon, sauger.

(L) *Scaphirhynchus platyrhynchus*, commonly known as shovelnose sturgeon, hackleback, sand sturgeon.

[(28)](29) Game mammals: Cottontail rabbit, deer, fox squirrel, gray squirrel, groundhog (woodchuck), jackrabbit, swamp rabbit, and furbearers as defined.

[(29)](30) Grab: The act of snagging or attempting to snag a fish by means of a pole, line, and hook manipulated by hand.

[(30)](31) Hook: Single- or multiple-pronged hooks and the ordinary artificial lures with attached single- or multiple-pronged hooks and dropper flies. A multiple-pronged hook or two (2) or more hooks employed to hold a single bait, shall be considered a single hook in counting the allowable total in use.

[(31)](32) Invertebrate: Any animal lacking a backbone; this includes all animal phyla other than *Chordata*. (Examples include insects and other arthropods, flatworms, roundworms, segmented worms, and mollusks.)

[(32)](33) Length of fish: Total length is measured from the tip of the snout to the end of the tail, with the fish laid flat on the rule with mouth closed and tail lobes pressed together. The length of paddlefish is measured from the eye to the fork of the tail. The length of sturgeon is measured from the tip of the snout to the fork of the tail.

[(33)](34) Lessee: Any Missouri resident who resides on and leases at least five (5) acres of land in one (1) continuous tract owned by others, or any member of the immediate household whose legal residence

and domicile is the same as the lessee's for at least thirty (30) days last past.

[(34)](35) Limit: The maximum number or quantity, total length, or both, of any wildlife permitted to be taken or held in possession by any person within a specified period of time according to this Code.

[(35)](36) Managed deer hunt: A prescribed deer hunt conducted on a designated area for which harvest methods, harvest quotas, and numbers of participants are determined annually and presented in the deer hunting rules (3 CSR 10-7.431 and 3 CSR 10-7.436).

[(36)](37) Mouth of stream or ditch: The point at which a line projected along the shore of a main stream or ditch at the existing water level at time of measurement crosses any incoming stream or ditch.

[(37)](38) Mussels: All species of freshwater mussels and clams. Includes all shells and alive or dead animals. Two (2) shell halves (valves) shall be considered one (1) mussel.

[(38)](39) Muzzleloading firearm: Any firearm capable of being loaded only from the muzzle.

[(39)](40) Night vision equipment: Optical devices (that is, binoculars or scopes) using light amplifying circuits that are electrical or battery powered.

[(40)](41) Open season: That time when the pursuing and taking of wildlife is permitted.

[(41)](42) Other fish: All species other than those listed as endangered in 3 CSR 10-4.111 or defined in this rule as game fish.

[(42)](43) Persons with disabilities: a person who is blind, as defined in section 8.700, RSMo, or a person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician as follows: The person cannot ambulate or walk fifty (50) or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or the person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or the person is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mmHg on room air at rest; or the person uses portable oxygen; or the person has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association. (A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled.)

[(43)](44) Poisons, contaminants, pollutants: Any substances that have harmful effect upon wildlife.

[(44)](45) Pole and line: Fishing methods using tackle normally held in the hand, such as a cane pole, casting rod, spinning rod, fly rod, or ice fishing tackle commonly known as a tip-up, to which not more than three (3) hooks with bait or lures are attached. This fishing method does not include snagging, snaring, grabbing, or trotlines or other tackle normally attached in a fixed position.

[(45)](46) Possessed and possession: The actual and constructive possession and control of things referred to in this Code.

[(46)](47) Public roadway: The right of way which is either owned in fee or by easement by the state of Missouri or any county or

municipal entity, or which is used by the general public for travel and is also regularly maintained by Department of Transportation, federal, county, or municipal funds or labor.

[(47)](48) Pursue or pursued: Includes the act of trying to find, to seek, or to diligently search for wildlife for the purpose of taking this wildlife.

[(48)](49) Resident landowner: Any Missouri resident who is the owner of at least five (5) acres in one (1) contiguous tract, or any member of the immediate household whose legal residence or domicile is the same as the landowner's for at least thirty (30) days last past. In the case of corporate ownership, only registered officers of corporations meet this definition.

[(49)](50) Sell: To exchange for compensation in any material form, and the term shall include offering for sale.

[(50)](51) Snare: A device for the capture of furbearers in a water-set by use of a cable loop. Snares must be constructed of cable that is at least five sixty-fourths inch (5/64") and no greater than one-eighth inch (1/8") in diameter, and must be equipped with a mechanical lock and anchor swivel.

[(51)](52) Speargun: A mechanically powered device that propels a single- or multiple-pronged spear underwater.

[(52)](53) Store and storage: Shall also include chilling, freezing, and other processing.

[(53)](54) Take or taking: Includes killing, trapping, snaring, netting, or capturing in any manner, any wildlife, and also refers to pursuing, molesting, hunting, wounding; or the placing, setting, or use of any net, trap, device, contrivance, or substance in an attempt to take; and every act of assistance to every other person in taking or attempting to take any wildlife.

[(54)](55) Transgenic: Any organism, or progeny thereof, that contains DNA from a species that was not a parent of that organism.

[(55)](56) Transport and transportation: All carrying or moving or causing to be carried or moved from one point to another, regardless of distance, vehicle, or manner, and includes offering or receiving for transport or transit.

[(56)](57) Underwater spearfishing: The taking of fish by a diver while underwater, with the aid of a manually or mechanically propelled, single- or multiple-pronged spear.

[(57)](58) Ungulate: Hoofed animals.

[(58)](59) Waters of the state: All rivers, streams, lakes, and other bodies of surface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned or leased by a single person or by two (2) or more persons jointly or as tenants in common or by corporate shareholders, and including waters of the United States lying within the state. Waters of the state will include any waters which have been stocked by the state or which are subject to movement of fishes to and from waters of the state.

[(59)](60) Zoo: Any publicly owned facility, park, building, cage, enclosure, or other structure or premises in which live animals are held and exhibited for the primary purpose of public viewing.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section [252.240] 252.040, RSMo [2000] 2016. This rule previously filed

as 3 CSR 10-II.805. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Aug. 29, 2017.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities an estimated annual aggregate between three thousand seven hundred fifty-nine dollars (\$3,759) and four thousand nine hundred twenty-four dollars and fifty cents (\$4,924.50).

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <http://short.mdc.mo.gov/Z49>. 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.

**FISCAL NOTE
PRIVATE COST**

- I. **Department Title: Department of Conservation**
Division Title: 10 Conservation Commission
Chapter Title: 20 Definitions

Rule Number and Title:	CSR 10-20.805 Definitions.
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities which would likely be affected by the adoption of this proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to cost of compliance with the rule by the affected entities:
5 commercial anglers	N/A	\$3,759.00 – \$4,924.50 annual aggregate range

III. WORKSHEET

- o Estimated Minimum Value

[(350 Common Snapping Turtles) * (\$0.75/lb live weight) * (10 lbs average turtle mass) = (\$2,625.00 Common Snapping Turtles Estimated Minimum Value)]

[(126 Softshells) * (\$1.50/lb live weight) * (6 lbs average turtle mass) = (\$1,134.00 Softshells Estimated Minimum Value)]

[((\$2,625.00 Common Snapping Turtles Estimated Value) + (\$1,134.00 Softshells Estimated Minimum Value)] =

\$3,759.00 Estimated Minimum Value

- o Estimated Maximum Value

[(350 Common Snapping Turtles) * (\$0.75/lb live weight) * (13 lbs average turtle mass) = (\$3,412.50 Common Snapping Turtles Estimated Maximum Value)]

[(126 Softshells) * (\$2.00/lb live weight) * (6 lbs average turtle mass) = (\$1,512.00 Softshells Estimated Maximum Value)]

[((\$3,412.50 Common Snapping Turtles Estimated Maximum Value) + (\$1,512.00 Softshells Estimated Value)] =

\$4,924.50 Estimated Maximum Value

IV. ASSUMPTIONS

- o Numbers of turtles harvested are based on the most current permit reporting year (i.e., 2015 harvest of 476 turtles).

- Values by species and average weight of turtles were determined by contacting dealers, contacting other agencies, and searching published literature.
- Commercial value of turtles does fluctuate depending on market; therefore, a range was provided to better represent the average weight and value for each turtle species.

Summary – Five (5) commercial fish permit holders reported a harvest of 476 turtles that had a market value between \$3,759.00 and \$4,924.50.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program**

PROPOSED AMENDMENT

13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services. The division is adding subparagraph (4)(A)1.Q.

PURPOSE: This proposed amendment provides for a per diem decrease to nonstate-operated intermediate care facility for individuals with intellectual disabilities (ICF/IID) per diems of two and eighty-two hundredths percent (2.82%) effective for dates of service beginning September 1, 2017. This per diem decrease corresponds to the appropriation granted in the State Fiscal Year 2018 budget, approved by the governor, and is contingent upon approval by the Center for Medicare and Medicaid Services (CMS).

(4) Prospective Reimbursement Rate Computation.

(A) Except in accordance with other provisions of this rule, the provisions of this section shall apply to all providers of ICF/IID services certified to participate in Missouri's MO HealthNet program.

1. ICF/IID facilities.

A. Except in accordance with other provisions of this rule, the MO HealthNet program shall reimburse providers of these LTC services based on the individual MO HealthNet-participant days of care multiplied by the Title XIX prospective per diem rate less any payments collected from participants. The Title XIX prospective per diem reimbursement rate for the remainder of state Fiscal Year 1987 shall be the facility's per diem reimbursement payment rate in effect on October 31, 1986, as adjusted by updating the facility's allowable base year to its 1985 fiscal year. Each facility's per diem costs as reported on its Fiscal Year 1985 Title XIX cost report will be determined in accordance with the principles set forth in this rule. If a facility has not filed a 1985 fiscal year cost report, the most current cost report on file with the department will be used to set its per diem rate. Facilities with less than a full twelve- (12-) month 1985 fiscal year will not have their base year rates updated.

B. For state FY-88 and dates of service beginning July 1, 1987, the negotiated trend factor shall be equal to two percent (2%) to be applied in the following manner: Two percent (2%) of the average per diem rate paid to both state- and nonstate-operated ICF/IID facilities on June 1, 1987, shall be added to each facility's rate.

C. For state FY-89 and dates of service beginning January 1, 1989, the negotiated trend factor shall be equal to one percent (1%) to be applied in the following manner: One percent (1%) of the average per diem rate paid to both state- and nonstate-operated ICF/IID facilities on June 1, 1988, shall be added to each facility's rate.

D. For state FY-91 and dates of service beginning July 1, 1990, the negotiated trend factor shall be equal to one percent (1%) to be applied in the following manner: One percent (1%) of the average per diem rate paid to both state- and nonstate-operated ICF/IID facilities on June 1, 1990, shall be added to each facility's rate.

E. FY-96 negotiated trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning January 1, 1996, of six dollars and seven cents (\$6.07) per patient day for the negotiated trend factor. This adjustment is equal to four and six-tenths percent (4.6%) of the weighted average per diem rates paid to nonstate-operated ICF/IID facilities on June 1, 1995, of one hundred and thirty-one dollars and ninety-three cents (\$131.93).

F. State FY-99 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning July 1, 1998, of four dollars and forty-seven cents (\$4.47) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 1998, of

one hundred forty-eight dollars and ninety-nine cents (\$148.99).

G. State FY-2000 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning July 1, 1999, of four dollars and sixty-three cents (\$4.63) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per diem rate paid to nonstate-operated ICF/IID facilities on April 30, 1999, of one hundred fifty-four dollars and forty-three cents (\$154.43). This increase shall only be used for increases for the salaries and fringe benefits for direct care staff and their immediate supervisors.

H. State FY-2001 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates effective for dates of service beginning July 1, 2000, of four dollars and eighty-one cents (\$4.81) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per diem rate paid to nonstate-operated ICF/IID facilities on April 30, 2000, of one hundred sixty dollars and twenty-three cents (\$160.23). This increase shall only be used for increases for salaries and fringe benefits for direct care staff and their immediate supervisors.

I. State FY-2007 trend factor. All nonstate-operated ICF/IID facilities shall be granted an increase of seven percent (7%) to their per diem rates effective for dates of service billed for state fiscal year 2007 and thereafter. This adjustment is equal to seven percent (7%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2006.

J. State FY-2008 trend factor. Effective for dates of service beginning July 1, 2007, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of two percent (2%) for the trend factor. This adjustment is equal to two percent (2%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2007.

K. State FY-2009 trend factor. Effective for dates of service beginning July 1, 2008, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of three percent (3%) for the trend factor. This adjustment is equal to three percent (3%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2008.

L. State FY-2009 catch up increase. Effective for dates of service beginning July 1, 2008, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of thirteen and ninety-five hundredths percent (13.95%). This adjustment is equal to thirteen and ninety-five hundredths percent (13.95%) of the per diem rate paid to nonstate-operated ICF/IID facilities on June 30, 2008. This increase is intended to provide compensation to providers for the years *[(2003, 2004, 2005, and 2006)]* where no trend factor was given. The catch up increase was based on the CMS PPS Skilled Nursing Facility Input Price Index (~~four-~~ (4)- quarter moving average).

M. State FY-2012 trend factor. Effective for dates of service beginning October 1, 2011, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of one and four tenths percent (1.4%) for the trend factor. This adjustment is equal to one and four tenths percent (1.4%) of the per diem rate paid to nonstate-operated ICF/IID facilities on September 30, 2011.

N. State FY-2014 trend factor. Effective for dates of service beginning January 1, 2014, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of three percent (3%) for the trend factor. This adjustment is equal to three percent (3%) of the per diem rate paid to nonstate-operated ICF/IID facilities on December 31, 2013.

O. State FY-2016 trend factor. Effective for dates of service beginning February 1, 2016, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of one percent (1%) for the trend factor. This adjustment is equal to one percent (1%) of the per diem rate paid to nonstate-operated ICF/IID facilities on January 31, 2016.

P. State FY-2017 trend factor. Effective for dates of service beginning September 1, 2016, all nonstate-operated ICF/IID facilities shall be granted an increase to their per diem rates of two percent (2%) for the trend factor. This adjustment is equal to two percent (2%) of the per diem rate paid to nonstate-operated ICF/IID facilities on August 31, 2016.

Q. State FY-2018 per diem adjustment. Effective for dates of service beginning September 1, 2017, all nonstate-operated ICF/IID facilities shall be subject to a decrease to their per diem rates of two and eighty-two hundredths percent (2.82%). This adjustment is equal to two and eighty-two hundredths percent (2.82%) of the per diem rate paid to nonstate-operated ICF/IID facilities on August 31, 2017.

2. Adjustments to rates. The prospectively determined reimbursement rate may be adjusted only under the following conditions:

A. When information contained in a facility's cost report is found to be fraudulent, misrepresented, or inaccurate, the facility's reimbursement rate may be reduced, both retroactively and prospectively, if the fraudulent, misrepresented, or inaccurate information as originally reported resulted in establishment of a higher reimbursement rate than the facility would have received in the absence of this information. No decision by the MO HealthNet agency to impose a rate adjustment in the case of fraudulent, misrepresented, or inaccurate information in any way shall affect the MO HealthNet agency's ability to impose any sanctions authorized by statute or rule. The fact that fraudulent, misrepresented, or inaccurate information reported did not result in establishment of a higher reimbursement rate than the facility would have received in the absence of the information also does not affect the MO HealthNet agency's ability to impose any sanctions authorized by statute or rules;

B. In accordance with subsection (6)(B) of this rule, a newly constructed facility's initial reimbursement rate may be reduced if the facility's actual allowable per diem cost for its first twelve (12) months of operation is less than its initial rate;

C. When a facility's MO HealthNet reimbursement rate is higher than either its private pay rate or its Medicare rate, the MO HealthNet rate will be reduced in accordance with subsection (2)(B) of this rule;

D. When the provider can show that it incurred higher cost due to circumstances beyond its control, and the circumstances are not experienced by the nursing home or ICF/IID industry in general, the request must have a substantial cost effect. These circumstances include, but are not limited to:

(I) Acts of nature, such as fire, earthquakes, and flood, that are not covered by insurance;

(II) Vandalism, civil disorder, or both; or

(III) Replacement of capital depreciable items not built into existing rates that are the result of circumstances not related to normal wear and tear or upgrading of existing system;

E. When an adjustment to a facility's rate is made in accordance with the provisions of section (6) of this rule; or

F. When an adjustment is based on an Administrative Hearing Commission or court decision.

AUTHORITY: sections 208.153, 208.159, and 208.201, RSMo 2016. This rule was previously filed as 13 CSR 40-81.083. Original rule filed Aug. 13, 1982, effective Nov. 11, 1982. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Aug. 22, 2017, effective Sept. 1, 2017, expires Feb. 27, 2018. Amended: Filed Aug. 22, 2017.

PUBLIC COST: This proposed amendment will save state agencies or political subdivisions approximately one hundred seventy-six thousand four hundred fifty-four dollars (\$176,454) in SFY 2018.

PRIVATE COST: This proposed amendment will cost private entities approximately one hundred seventy-six thousand four hundred fifty-four dollars (\$176,454) in SFY 2018.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be emailed to Rules.Comment@dss.mo.gov or delivered by regular mail, express, or overnight mail, in person, or by courier, within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 10 - Nursing Home Program

Rule Number and Name:	13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services MO HealthNet Division	Estimated savings for SFY 2018: \$176,454

III. WORKSHEET

Description	Trend Decrease
<u>SFY 2018 – 2.82% Per Diem Adjustment</u>	
Estimated Annual Paid Days: SFY 2018	30,151
Less: Estimated Paid Days – July thru August 2017	(5,122)
Estimated Paid Days September 1, 2017 – June 30, 2018	25,029
x Average Per Diem Rate Decrease	\$7.05
Total Estimated Impact for SFY 2018 trend	\$176,454
Total Estimated Impact for SFY 2018	\$176,454
State Share (35.530%)	\$62,694
Federal Share (64.470%)	\$113,760

IV. ASSUMPTIONS

Estimated Paid Days:

ICF/IID Facility:

The estimated paid days for SFY 2018 are based on the actual Medicaid days paid for nonstate-operated ICF/IID facility services paid during SFY 2016. There are seven (7) facilities which operate close to full occupancy and the number of patient days has been constant each year.

The estimated paid days for July thru August 2017 is estimated paid days for SFY 2018 divided by three-hundred sixty-five (365) days and then multiplied by sixty-two (62) days.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 10 - Nursing Home Program

Rule Number and Name:	13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
7	Nonstate-Operated Facilities for ICF/IID Services	Annual estimated cost for SFY 2018: \$176,454

III. WORKSHEET

Description	Trend Decrease
<u>SFY 2018 – 2.82% Per Diem Adjustment</u>	
Estimated Annual Paid Days: SFY 2018	30,151
Less: Estimated Paid Days – July thru August 2017	(5,122)
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The estimated paid days for July thru August 2017 is estimated paid days for SFY 2018 divided by three-hundred sixty-five (365) days and then multiplied by sixty-two (62) days.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED RESCISSION

22 CSR 10-2.094 Tobacco-Free Incentive Provisions and Limitations. The rule established the policy of the board of trustees in regards to the Strive for Wellness® Tobacco-Free Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

PURPOSE: This rule is being rescinded and readopted to include detailed language to clarify Tobacco-Free Incentive Provisions and Limitations.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Nov. 1, 2011, effective Nov. 25, 2011, expired May 22, 2012. Original rule filed Nov. 1, 2011, effective April 30, 2012. For intervening history, please consult the Code of State Regulations. Emergency rescission filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. Rescinded: Filed Aug. 31, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. 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.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED RULE

22 CSR 10-2.094 Tobacco-Free Incentive Provisions and Limitations

PURPOSE: The rule establishes the policy of the board of trustees in regards to the Strive for Wellness® Tobacco-Free Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

(1) Strive for Wellness® Tobacco-Free Incentive—The Tobacco-Free Incentive is a voluntary program that eligible members may elect to participate in to earn a reduction in premium. Eligible members are responsible for completing requirements.

(2) Tobacco-Free Incentive—The Strive for Wellness® Tobacco-Free Incentive is a reduction in premium of forty dollars (\$40) per month per eligible participant who is compliant with this rule.

(3) Eligibility—The following members enrolled in a Missouri Consolidated Health Care Plan (MCHCP), Preferred Provider Organization (PPO), or Health Savings Account (HSA) Plan are eligible to participate in the Tobacco-Free Incentive:

(A) Active employee subscribers;

(B) Non-Medicare spouses covered by a Tobacco-Free Incentive eligible subscriber and Medicare primary spouses of active employee subscribers; and

(C) Non-Medicare subscribers.

(4) Limitations and exclusions—The following members are not eligible to participate in the Tobacco-Free Incentive:

(A) Members under the age of eighteen (18) years;

(B) Dependent children;

(C) Subscriber (with the exception of active employee subscriber) who has Medicare as primary coverage;

(D) Spouse (with the exception of spouse of active employee subscriber) who has Medicare as primary coverage;

(E) TRICARE Supplement Plan subscriber;

(F) Spouse covered by ineligible subscriber; and

(G) The subscriber and/or spouse will become ineligible to continue to participate the first day of the month in which Medicare becomes his/her primary payer.

(5) Participation.

(A) Each eligible member must participate separately.

(B) In order to receive the Tobacco-Free Incentive, eligible members must complete one (1) of the following every plan year, for the incentive to be effective the first day of the second month after MCHCP receives the Tobacco Promise form and applicable requirements are completed:

1. Submit a Tobacco-Free Promise form; or

2. Submit a Quit Tobacco Promise form and agree to receive the Quit Tobacco Road Map.

(C) Eligible members adding medical coverage must complete one (1) of the following within thirty-one (31) days of his/her medical coverage effective date for the incentive to be effective the first day his/her medical coverage is effective:

1. Submit a Tobacco-Free Promise form; or

2. Submit a Quit Tobacco Promise form and agree to receive the Quit Tobacco Road Map.

(D) All forms can be completed through the eligible member's myMCHCP account or downloaded from MCHCP's website and printed for completion. Completed printed forms must be submitted to MCHCP by fax, mail, in person, or uploaded to the eligible member's myMCHCP account.

(E) Eligible members participating in the Tobacco-Free Incentive whose coverage ends due to the subscriber's termination of all employment with the state and who then regains coverage effective in the same plan year because the subscriber is rehired as a new state employee, will receive the Tobacco-Free Incentive effective the first day his/her medical coverage is effective after the subscriber is rehired.

(F) An eligible member completing the Tobacco-Free Incentive requirements in October of a plan year, who is eligible for but not currently receiving the Tobacco-Free Incentive, will receive the incentive for December of the current plan year, in addition to the next plan year.

(G) Eligible members who completed the Tobacco-Free Promise form and who, thereafter, use a tobacco product, must notify MCHCP by phone, fax, or mail the next business day and MCHCP will mail the Quit Tobacco Road Map.

(H) The Tobacco Free Incentive shall begin January 1 and end December 31 of each plan year.

(6) A waiver may be granted if an eligible member requests a waiver in writing along with a provider's written certification that it is medically inadvisable for the eligible member to quit tobacco.

(7) MCHCP and/or its vendor may audit participation information for accuracy. Misrepresentation or fraud could lead to loss of the Tobacco-Free Incentive and/or prosecution.

(8) MCHCP and/or its vendor may utilize participation data for purposes of offering additional programs in accordance with the MCHCP privacy policy.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Nov. 1, 2011, effective Nov. 25, 2011, expired May 22, 2012. Original rule filed Nov. 1, 2011, effective April 30, 2012. For intervening history, please consult the Code of State Regulations. Emergency rescission and rule filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. Rescinded and readopted: Filed Aug. 31, 2017.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. 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.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED RESCISSION

22 CSR 10-2.120 Partnership Incentive Provisions and Limitations. This rule established the policy of the board of trustees in regards to the Strive for Wellness® Partnership Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

PURPOSE: This rule is being rescinded and readopted to include detailed language to clarify Strive for Wellness® Partnership Incentive Provisions and Limitations.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Aug. 28, 2012, effective Oct. 1, 2012, terminated Feb. 27, 2013. Original rule filed Aug. 28, 2012, effective Feb. 28, 2013. For intervening history, please consult the Code of State Regulations. Emergency rescission filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. Rescinded: Filed Aug. 31, 2017.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. 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.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

PROPOSED RULE

22 CSR 10-2.120 Partnership Incentive Provisions and Limitations

PURPOSE: This rule establishes the policy of the board of trustees in regards to the Strive for Wellness® Partnership Incentive and the method and timeframes in which the requirements of the incentive must be completed and submitted.

(1) Strive for Wellness® Partnership Incentive—The Partnership Incentive is a voluntary program that eligible members may elect to participate in to earn a reduction in premium. Eligible members are responsible for completing requirements.

(2) Partnership Incentive—The Strive for Wellness® Partnership Incentive is a reduction in premium of twenty-five dollars (\$25) per month per eligible member who is compliant with this rule.

(3) Eligibility—The following members enrolled in a Missouri Consolidated Health Care Plan (MCHCP), Preferred Provider Organization (PPO), or Health Savings Account (HSA) Plan are eligible to participate in the Partnership Incentive:

- (A) Active employee subscribers; and
- (B) Non-Medicare subscribers.

(4) Limitations and exclusions—The following members are not eligible to participate in the Partnership Incentive:

- (A) Subscribers under the age of eighteen (18) years;
- (B) Dependents;
- (C) TRICARE Supplement Plan subscribers;
- (D) Subscriber (with the exception of active employee subscriber) who has Medicare as primary coverage; and
- (E) When Medicare becomes a subscriber's primary insurance payer, the subscriber (with the exception of active employee subscriber) is no longer eligible to participate and will lose the Partnership Incentive the first day of the month in which Medicare becomes primary.

(5) Participation.

(A) In order to receive the Partnership Incentive, eligible members must complete all of the following every plan year for the incentive to be effective the first day of the second month after the requirements are completed:

- 1. The Partnership Promise;
- 2. The Health Assessment; and
- 3. The Health Education Quiz. A series of questions administered by MCHCP designed to measure understanding of MCHCP benefits and/or general health knowledge.

(B) The requirements must be completed through the member's myMCHCP account.

(C) Eligible members adding medical coverage must complete all of the following within thirty-one (31) days of his/her medical coverage effective date (unless otherwise specified) for the incentive to be effective the first day his/her medical coverage is effective:

- 1. The Partnership Promise;
- 2. The Health Assessment; and
- 3. The Health Education Quiz.

(D) An employee earning the Partnership Incentive who then terminates all employment with the state and is rehired as a new state employee with medical coverage effective in the same plan year, will receive the Partnership Incentive effective the first day his/her medical coverage is effective after s/he is rehired.

(E) An eligible member completing the Partnership Incentive requirements in October of a plan year, who is eligible for but not currently receiving the Partnership Incentive, will receive the incentive for December of the current plan year, in addition to the next plan year.

(F) Eligible members who have earned the incentive may earn a *de minimis* gift for completing one (1) or more of the following MCHCP-approved health actions. An eligible member must report the completion of the health action to MCHCP by December 31 of each plan year, and may receive only one (1) gift per year. MCHCP-approved health actions are as follows:

1. Receiving a preventive lab screening such as cholesterol and blood sugar;
2. Receiving an annual preventive exam;
3. Attending three (3) Strive for Wellness[®] sponsored health education or physical activity events;
4. Participating in physical activity such as walking, jogging, Zumba, yoga, or weight-training for one hundred fifty (150) minutes each week for three (3) months;
5. Standing for at least two (2) hours during each workday for three (3) months; or
6. Walking one (1) million steps.

(G) The Partnership Incentive shall begin January 1 and end December 31 of each plan year.

(6) A waiver may be granted, in whole or in part, for the applicable plan year if a member requests a waiver of a requirement(s) in writing along with a provider's written certification that it is medically inadvisable for the member to participate in the applicable requirement(s).

(7) MCHCP and/or its vendor may audit participation information for accuracy. Misrepresentation or fraud could lead to loss of the Partnership Incentive and/or prosecution.

(8) MCHCP and/or its vendor may utilize participation data for purposes of offering additional programs in accordance with MCHCP's privacy policy.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Aug. 28, 2012, effective Oct. 1, 2012, terminated Feb. 27, 2013. Original rule filed Aug. 28, 2012, effective Feb. 28, 2013. For intervening history, please consult the Code of State Regulations. Emergency rescission and rule filed Aug. 31, 2017, effective Oct. 1, 2017, expires March 29, 2018. Rescinded and readopted: Filed Aug. 31, 2017.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. 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.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of 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*.

The 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 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.431 Deer Hunting Seasons: General Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2017 (42 MoReg 962). 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 Conservation Commission received comments from five (5) individuals on proposed changes to 3 CSR 10-7.431 Deer Hunting Seasons: General Provisions.

COMMENT #1: Jeff Hubbard, El Dorado Springs, and Russell Riggins, location unknown, expressed general support for the proposed changes.

RESPONSE: The commission thanks those individuals who voiced support for the regulation change.

COMMENT #2: John Day, Forsyth, expressed opposition to regula-

tions that require the voided permit or proper label to be attached to the harvested animal while not personally attended prior to reporting through the Telecheck Harvest Reporting System. Mr. Day indicated that the Telecheck confirmation number should suffice as proof of harvest.

RESPONSE: This amendment aligns the rule with other portions of the *Wildlife Code* in regards to use of paperless permitting. No changes to the rule have been made as a result of this comment.

COMMENT #3: Bob Zeiser, Eureka, and John Enyeart, location unknown, expressed opposition to the proposed changes, stating that citizens are not required by law to have a permit to conceal or constitutional carry a firearm.

RESPONSE: This amendment aligns verbiage in the *Wildlife Code* with those contained in Missouri statute regarding citizen's right to conceal or constitutional carry a firearm without a permit. No changes to the rule have been made as a result of this comment.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.432 Deer: Archery Hunting Season is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2017 (42 MoReg 962-963). 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 Conservation Commission received comments from nine (9) individuals on proposed changes to 3 CSR 10-7.432 Deer: Archery Hunting Season.

COMMENT #1: Charlie Smitherman, St. Charles; Jeff Hubbard, El Dorado Springs; John Day, Forsyth; Paul Whitaker, location unknown; Sam Routt, location unknown, and David Wilson, Halfway, expressed general support for the proposed changes.

RESPONSE: The commission thanks those individuals who voiced support for the regulation change.

COMMENT #2: Anthony Lightfoot, Lee's Summit, expressed indecision regarding the proposed changes, stating that citizens are not required by law to have a permit to conceal or constitutional carry a firearm.

RESPONSE: This amendment aligns verbiage in the *Wildlife Code* with those contained in Missouri statute regarding citizen's right to conceal or constitutional carry a firearm without a permit. No changes to the rule have been made as a result of this comment.

COMMENT #3: Bob Zeiser, Eureka, expressed opposition to the proposed changes, stating that citizens are not required by law to have a permit to conceal or constitutional carry a firearm.

RESPONSE: This amendment aligns verbiage in the *Wildlife Code* with those contained in Missouri statute regarding citizen's right to conceal or constitutional carry a firearm without a permit. No changes to the rule have been made as a result of this comment.

COMMENT #4: Marc (last name unknown), Kansas City, expressed opposition to the proposed changes and suggested that the use of any firearm during the archery deer season should be prohibited.

RESPONSE: This amendment aligns verbiage in the *Wildlife Code* with those contained in Missouri statute regarding citizen's right to conceal or constitutional carry a firearm without a permit. No changes to the rule have been made as a result of this comment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,
Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2017 (42 MoReg 963-964). 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 Conservation Commission received comments from seven (7) individuals on proposed changes to 3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits.

COMMENT #1: Jeffrey Clouser, Springfield; Jeff Hubbard, El Dorado Springs; John Day, Forsyth; Mike Couch, location unknown; Dax Demeree, location unknown, and Steven Kaderly, location unknown, expressed general support for the proposed changes.

RESPONSE: The commission thanks those individuals who voiced support for the regulation change.

COMMENT #2: Bob Zeiser, Eureka, expressed opposition to the proposed changes, stating that citizens are not required by law to have a permit to conceal or constitutional carry a firearm.

RESPONSE: This amendment aligns verbiage in the *Wildlife Code* with those contained in Missouri statute regarding citizen's right to conceal or constitutional carry a firearm without a permit. No changes to the rule have been made as a result of this comment.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.205 is amended.

This rule identifies dates and times when fish may be taken from waters of the state and is exempted by section 536.021, RSMo, from the requirements for filing as a proposed amendment.

3 CSR 10-11.205 Fishing, Methods and Hours

(5) On James A. Reed Memorial Wildlife Area:

(A) Fishing is permitted only on designated waters from 6:00 a.m. to 9:00 p.m. daily from the second Sunday in March until the second Sunday in November, and from 6:00 a.m. to 6:00 p.m. daily during the remainder of the year.

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment was filed August 29, 2017, becomes effective **September 30, 2017.**

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.125 is amended.

This rule identifies areas where hunting is prohibited and is exempted by section 536.021, RSMo, from the requirements for filing as a proposed amendment.

3 CSR 10-12.125 Hunting and Trapping

(1) Hunting, under statewide permits, seasons, methods, and limits, is permitted except as further restricted in this chapter and except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet published in August and annual *Spring Turkey Hunting Regulations and Information* booklet published in March, which are incorporated in this *Code* by reference. A printed copy of these booklets can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and are also available online at www.missouriconservation.org. This rule does not incorporate any subsequent amendments or additions.

(B) Hunting is prohibited on the following areas:

1. Bethany (Old Bethany City Reservoir);
2. Buchanan County (Gasper Landing);
3. California (Proctor Park Lake);
4. Carthage (Kellogg Lake);
5. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lakes);
6. Dexter City Lake;
7. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
8. Fenton (Preslar Lake, Upper Fabick Lake, Westside Park Lake);
9. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
10. Hamilton City Lake;
11. Harrisonville (North Lake);
12. Jackson (Rotary Lake);
13. Jackson County (Alex George Lake, Bergan Lake, Bowlin Pond, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
14. Kirksville (Spur Pond);
15. Lawson City Lake;
16. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
17. Macon County (Fairgrounds Lake);

18. Mexico (Lakeview Lake, Kiwanis Lake);
19. Mineral Area College (Quarry Pond);
20. Moberly (Rothwell Park Lake, Water Works Lake);
21. Mount Vernon (Williams Creek Park Lake);
22. Odessa (Lake Venita);
23. Overland (Wild Acres Park Lake);
24. Perry County (Legion Lake 1);
25. Potosi (Roger Bilderback Lake);
26. Raymore (Johnston Lake);
27. Rolla (Schuman Park Lake);
28. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
29. St. James (Scioto Lake);
30. St. Joseph (Krug Park Lagoon);
31. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake);
32. Savannah City Lake;
33. Sedalia (Clover Dell Park Lake);
34. Sedalia Water Department (Spring Fork Lake);
35. Springfield City Utilities (Lake Springfield);
36. Union (Union City Lake);
37. University of Missouri (Thomas S. Baskett Wildlife Research and Education Center);
38. Warrensburg (Lions Lake);
39. Watershed Committee of the Ozarks (Valley Water Mill Lake);
40. Wentzville (Community Club Lake, Heartland Lake); and
41. Windsor (Farrington Park Lake).

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment was filed August 29, 2017, becomes effective **September 30, 2017**.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.140 is amended.

This rule establishes daily limits for fish taken from waters of the state and is exempted by section 536.021, RSMo, from the requirements for filing as a proposed amendment.

3 CSR 10-12.140 Fishing, Daily and Possession Limits

- (2) The daily limit for black bass is two (2) on the following lakes:
- (Z) Union (Union City Lake);
 - (AA) University of Missouri (South Farm R-1 Lake);
 - (BB) Warrensburg (Lions Lake);
 - (CC) Watkins Mill State Park (Williams Creek Lake);
 - (DD) Wentzville (Community Club Lake, Heartland Lake); and
 - (EE) Windsor (Farrington Park Lake).

(8) The daily limit for fish other than those species listed as endangered in 3 CSR 10-4.111 or defined as game fish is twenty (20) in the aggregate, except on the following lakes where the daily limit is ten (10) in the aggregate, and except for those fish included in section

- (7) of this rule:
- (M) Union (Union City Lake);
 - (N) University of Missouri (McCredie Lake);
 - (O) Watershed Committee of the Ozarks (Valley Water Mill Lake); and
 - (P) Wentzville (Community Club Lake, Heartland Lake).

(9) Trout must be returned to the water unharmed immediately after being caught from November 1 through January 31 on the lakes listed below. Trout may not be possessed on these waters during this season.

- (O) Union (Union City Lake)

(12) No person shall continue to fish for any species after having four (4) trout in possession, from February 1 through October 31, on the following lakes:

- (F) Union (Union City Lake)

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment was filed August 29, 2017, becomes effective **September 30, 2017**.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.145 is amended.

This rule sets length limits for fish taken from waters of the state and is exempted by section 536.021, RSMo, from the requirements for filing as a proposed amendment.

3 CSR 10-12.145 Fishing, Length Limits

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(A) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Arrow Rock State Historic Site (Big Soldier Lake);
2. Bethany (Old Bethany City Reservoir);
3. Blue Springs (Lake Remembrance);
4. Big Oak Tree State Park (Big Oak Lake);
5. Butler City Lake;
6. Cameron (Century Lake, Eagle Lake, Grindstone Lake, Sunrise Lake);
7. Carthage (Kellogg Lake);
8. Columbia (Stephens Park Lake);
9. Concordia (Edwin A. Pape Lake);
10. Confederate Memorial State Historic Site lakes;
11. Dexter City Lake;
12. East Prairie (K. S. Simpkins Park Pond);
13. Farmington (Hager Lake, Giessing Lake, Thomas Lake);
14. Hamilton City Lake;
15. Harrison County Lake;
16. Higginsville (Higginsville City Lake, Upper Higginsville

- City Lake);
17. Holden City Lake;
 18. Jackson (Litz Park Lake, Rotary Lake);
 19. Jackson County (Alex George Lake, Bergan Lake, Bowlin Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
 20. Jefferson City (McKay Park Lake);
 21. Keytesville (Maxwell Taylor Park Pond);
 22. Kirksville (Hazel Creek Lake);
 23. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
 24. Marble Hill (Pellegrino Lake);
 25. Mark Twain National Forest (Fourche Lake, Huzzah Pond, Loggers Lake, McCormack Lake, Noblett Lake, Roby Lake);
 26. Maysville (Willow Brook Lake);
 27. Mineral Area College (Quarry Pond);
 28. Odessa (Lake Venita);
 29. Pershing State Park ponds;
 30. Potosi (Roger Bilderback Lake);
 31. Raymore (Johnston Lake);
 32. Unionville (Lake Mahoney);
 33. University of Missouri (Dairy Farm Lake No. 1, McCredie Lake);
 34. Warrensburg (Lions Lake);
 35. Watkins Mill State Park (Williams Creek Lake); and
 36. Windsor (Farrington Park Lake).
- (B) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following lakes:
1. Ballwin (New Ballwin Park Lake, Vlasik Park Lake)
 2. Columbia (Twin Lakes);
 3. Fenton (Preslar Lake, Upper Fabick Lake, Westside Park Lake);
 4. Ferguson (January-Wabash Lake);
 5. Jennings (Koeneman Park Lake);
 6. Kirkwood (Walker Lake);
 7. Overland (Wild Acres Park Lake);
 8. Sedalia Water Department (Spring Fork Lake);
 9. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
 10. St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);
 11. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake);
 12. Union (Union City Lake);
 13. University of Missouri (South Farm R-1 Lake); and
 14. Wentzville (Community Club Lake, Heartland Lake).

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment was filed August 29, 2017, becomes effective **September 30, 2017**.

**Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 4—Audits of Fire Protection Districts in
St. Louis and Greene Counties**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Auditor’s Office under

section 321.690, RSMo 2016, the auditor amends a rule as follows:

15 CSR 40-4.010 Requirements for Districts is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2017 (42 MoReg 910). 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.

**Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 4—Audits of Fire Protection Districts in
St. Louis and Greene Counties**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Auditor’s Office under section 321.690, RSMo 2016, the auditor amends a rule as follows:

**15 CSR 40-4.020 Standards for Auditing and Financial
Reporting is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2017 (42 MoReg 910–911). 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.

**Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 4—Audits of Fire Protection Districts in
St. Louis and Greene Counties**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Auditor’s Office under section 321.690, RSMo 2016, the auditor rescinds a rule as follows:

15 CSR 40-4.030 Contents of Audit Reports is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2017 (42 MoReg 911). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 4—Audits of Fire Protection Districts in
St. Louis and Greene Counties**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Auditor’s Office under section 321.690, RSMo 2016, the auditor rescinds a rule as follows:

15 CSR 40-4.040 Scope of Audit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2017 (42 MoReg 911). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 40—Comprehensive Emergency Medical
Services Systems Regulations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under sections 190.109, 190.176, 190.185, and 190.190, RSMo 2016, the department amends a rule as follows:

**19 CSR 30-40.309 Application and Licensure Requirements
Standards for the Licensure and Relicensure of Ground
Ambulance Services is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2017 (42 MoReg 720-725). 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.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 40—Division of Maternal, Child and
Family Health
Chapter 12—Critical Congenital Heart Disease**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health and Senior Services under sections 191.334 and 192.006, RSMo 2016, the department adopts a rule as follows:

**19 CSR 40-12.010 Critical Congenital Heart Disease Screening
for Newborns is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2017 (42 MoReg 726-728). 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 Department of Health and Senior Services (DHSS) received one (1) letter with one (1) comment.

COMMENT: Matthew Keppler, March of Dimes, requests DHSS to consider amending the rule such that if a new technology were to be identified in the future, critical congenital heart disease (CCHD) screening would continue seamlessly with the new technology without necessitating changes in the regulation.

RESPONSE: Section 191.334.3, RSMo directs the CCHD screening

to be conducted by pulse oximetry or in another manner as directed by DHSS in accordance with the American Academy of Pediatrics and American Heart Association guidelines. A DHSS directive must be designated in administrative rule in order to make the directive mandatory for all who are required to follow the directive. Statutes regarding administrative rules do not allow DHSS to designate a technology that does not exist at the time the rule becomes effective because the administrative rules process lends itself to providing notification and a public comment period prior to a new mandate. If new technology for CCHD screening becomes the standard recognized by the American Academy of Pediatrics and American Heart Association, DHSS will take the appropriate steps to amend the rule accordingly. No changes have been made to this rule as a result of this comment.

This 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for October 24, 2017. These applications are available for public inspection at the address shown below.

Date Filed

Project Number: Project Name
City (County)
Cost, Description

09/08/2017

#5502 HT: Saint Luke's Radiation Therapy
Liberty (Clay County)
\$3,178,884, Replace Linear Accelerator

#5501 HT: MRI Partners of Chesterfield, LLC
Chesterfield (St. Louis County)
\$2,499,000, Replace MRI

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by October 12, 2017. All written requests and comments should be sent to—

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102
For additional information contact Karla Houchins at (573) 751-6700.

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 WINDING UP FOR LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
NALLE FEED & GRAIN, LLC**

On August 24, 2017, Nalle Feed & Grain, LLC filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The Notice was effective on August 24, 2017.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against Nalle Feed & Grain, LLC, you must submit a summary in writing of the circumstances surrounding your claim to the said Nalle Feed & Grain, LLC at the following address:

Nalle Feed & Grain, LLC, 15999 160th Street, Pattonsburg MO 64670.

Telephone: (660) 663-5372.

The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The date on which the event for which the claim is based occurred; and
4. A brief description of the nature of the debt or the basis for the claim.

All claims against Nalle Feed & Grain, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

“NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY

TO ALL CREDITORS AND CLAIMANTS AGAINST GYTY LAND DEVELOPMENT CO., LLC, a Missouri limited liability company (the “Company”):

You are hereby notified that dissolution of the Company was authorized by the member on August 4, 2017. All persons having claims against the Company must present their claims in writing and mail their claims to:

Robert J. Helm
2305 S. Blackman Rd., Suite D
Springfield, MO 65809

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice. In order to file a claim with the Company, you must furnish the following: (a) the name, address and telephone number of the claimant; (b) the amount claimed; (c) a description of the nature of the debt or the basis of the claim; (d) the date or dates the claim accrued; and (e) if the claim is founded on a writing, a copy of the writing.”

**NOTICE OF DISSOLUTION TO
ALL CREDITORS AND CLAIMANTS AGAINST
PATTERSON MEDICAL CLINIC, INC.**

You are hereby noticed that on August 28, 2017, PATTERSON MEDICAL CLINIC, INC., a Missouri corporation (the "Corporation"), the principal office of which is located in St. Louis County, Missouri filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State. Pursuant to Section 351.482 of the General and Business Corporation Law of the State of Missouri, any claims against the Corporation must be mailed to:

Patterson Medical Clinic, Inc.
c/o Lashly & Baer, P.C.
714 Locust Street
St. Louis, Missouri 63101-1699
Attn: Peter C. Sullivan, Esq.

Claims submitted must include the following information: (1) claimant name, address and telephone number; (2) name of debtor; (3) account or other number by which debtor may identify the creditor; (4) a brief description of the nature of the debt or 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.

NOTE: CLAIMS OF CREDITORS OF THE CORPORATION WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO (2) YEARS OF THE DATE OF THE PUBLICATION OF THIS NOTICE.

**NOTICE OF DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
HUMBLE PROPERTIES, LLC**

On August 22, 2017, Humble Properties, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

The company 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. By law, any claim against Humble Properties, LLC, will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

Notice of Winding Up of Limited Liability Company to All Creditors of and Claimants Against Northland Hospitalists, LLC

Effective August 18, 2017, Northland Hospitalists, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Any claims against Company may be sent to Forbes Law Group, LLC, Attn: Northland Hospitalists, 6900 College Blvd., Suite 840, Overland Park, KS 66211. Each claim must include the following information: name, address, and phone number of claimant; amount of claim; date on which claim arose; basis for claim; and documentation in support of claim.

All claims against Company will be barred unless the proceeding to enforce the claim is commenced within three years after publication of this notice.

**NOTICE OF DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
NEW HOME SALES, LLC**

On August 11, 2017, New Home Sales, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company 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. Pursuant to Section 347.141 RSMo, any claim against New Home Sales, LLC, will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
RHS SEYMOUR, LLC**

On, August 25, 2017, RHS Seymour, 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 Jami S. Jordan, 1605 West State Hwy J, Ozark, Missouri 65721, 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.

Rule Changes Since Update to Code of State Regulations

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
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				41 MoReg 1477
1 CSR 20-5.015	Personnel Advisory Board and Division of Personnel		41 MoReg 1538		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		41 MoReg 1539		
DEPARTMENT OF AGRICULTURE					
2 CSR 30-10.010	Animal Health	42 MoReg 709	42 MoReg 712	42 MoReg 1244	
2 CSR 80-5.010	State Milk Board		42 MoReg 712	42 MoReg 1202	
2 CSR 90-10	Weights, Measures and Consumer Protection				42 MoReg 1203
2 CSR 90-10.012	Weights, Measures and Consumer Protection		42 MoReg 713	42 MoReg 1244	
2 CSR 90-10.013	Weights, Measures and Consumer Protection		42 MoReg 713	42 MoReg 1244	
2 CSR 90-10.014	Weights, Measures and Consumer Protection		42 MoReg 714	42 MoReg 1244	
2 CSR 90-10.120	Weights, Measures and Consumer Protection		42 MoReg 716	42 MoReg 1245	
2 CSR 100-12.010	Missouri Agricultural and Small Business Development Authority		42 MoReg 1027		
DEPARTMENT OF CONSERVATION					
3 CSR 10-3.010	Conservation Commission		This Issue		
3 CSR 10-5.425	Conservation Commission		This Issue		
3 CSR 10-7.431	Conservation Commission		N.A.	This Issue	
3 CSR 10-7.432	Conservation Commission		42 MoReg 962	This Issue	
3 CSR 10-7.455	Conservation Commission		42 MoReg 963	This Issue	42 MoReg 220
3 CSR 10-8.510	Conservation Commission		This Issue		
3 CSR 10-9.110	Conservation Commission		This Issue		
3 CSR 10-9.625	Conservation Commission		This Issue		
3 CSR 10-10.727	Conservation Commission		This Issue		
3 CSR 10-10.744	Conservation Commission		This Issue		
3 CSR 10-10.767	Conservation Commission		This Issue		
3 CSR 10-11.180	Conservation Commission		This Issue		
3 CSR 10-11.205	Conservation Commission		N.A.	This Issue	
3 CSR 10-12.110	Conservation Commission		This Issue		
3 CSR 10-12.115	Conservation Commission		This Issue		
3 CSR 10-12.125	Conservation Commission		N.A.	This Issue	
3 CSR 10-12.135	Conservation Commission		This Issue		
3 CSR 10-12.140	Conservation Commission		N.A.	This Issue	
3 CSR 10-12.145	Conservation Commission		N.A.	This Issue	
3 CSR 10-20.805	Conservation Commission		This Issue		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 240-3.163	Public Service Commission		42 MoReg 1231R		
4 CSR 240-3.164	Public Service Commission		42 MoReg 1231R		
4 CSR 240-18.010	Public Service Commission		42 MoReg 1232		
4 CSR 240-20.092	Public Service Commission		42 MoReg 160	42 MoReg 1245	
4 CSR 240-20.093	Public Service Commission		42 MoReg 162	42 MoReg 1251	
4 CSR 240-20.094	Public Service Commission		42 MoReg 168	42 MoReg 1260	
4 CSR 240-120.011	Public Service Commission		42 MoReg 1145		
4 CSR 240-120.031	Public Service Commission		42 MoReg 1146		
4 CSR 240-120.060	Public Service Commission		42 MoReg 1146		
4 CSR 240-120.065	Public Service Commission		42 MoReg 1147		
4 CSR 240-120.070	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.080	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.085	Public Service Commission		42 MoReg 1151		
4 CSR 240-120.090	Public Service Commission		42 MoReg 1156		
4 CSR 240-120.100	Public Service Commission		42 MoReg 1158		
4 CSR 240-120.110	Public Service Commission		42 MoReg 1158		
4 CSR 240-120.120	Public Service Commission		42 MoReg 1159		
4 CSR 240-120.130	Public Service Commission		42 MoReg 1159		
4 CSR 240-120.140	Public Service Commission		42 MoReg 1160		
4 CSR 240-121.010	Public Service Commission		42 MoReg 1161		
4 CSR 240-121.020	Public Service Commission		42 MoReg 1161		
4 CSR 240-121.030	Public Service Commission		42 MoReg 1162		
4 CSR 240-121.040	Public Service Commission		42 MoReg 1163		
4 CSR 240-121.050	Public Service Commission		42 MoReg 1163		
4 CSR 240-121.060	Public Service Commission		42 MoReg 1164		
4 CSR 240-121.180	Public Service Commission		42 MoReg 1164		
4 CSR 240-123.010	Public Service Commission		42 MoReg 1164		
4 CSR 240-123.020	Public Service Commission		42 MoReg 1165		
4 CSR 240-123.030	Public Service Commission		42 MoReg 1166		
4 CSR 240-123.040	Public Service Commission		42 MoReg 1167		
4 CSR 240-123.050	Public Service Commission		42 MoReg 1169		
4 CSR 240-123.060	Public Service Commission		42 MoReg 1169		
4 CSR 240-123.065	Public Service Commission		42 MoReg 1170		
4 CSR 240-123.070	Public Service Commission		42 MoReg 1174		
4 CSR 240-123.080	Public Service Commission		42 MoReg 1174		
4 CSR 240-123.090	Public Service Commission		42 MoReg 1175		
4 CSR 240-123.095	Public Service Commission		42 MoReg 1176		
4 CSR 240-124.010	Public Service Commission		42 MoReg 1180		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-124.020	Public Service Commission		42 MoReg 1180		
4 CSR 240-124.030	Public Service Commission		42 MoReg 1180		
4 CSR 240-124.040	Public Service Commission		42 MoReg 1181		
4 CSR 240-124.045	Public Service Commission		42 MoReg 1182		
4 CSR 240-124.050	Public Service Commission		42 MoReg 1184		
4 CSR 240-124.060	Public Service Commission		42 MoReg 1185		
4 CSR 240-125.010	Public Service Commission		42 MoReg 1185		
4 CSR 240-125.020	Public Service Commission		42 MoReg 1186		
4 CSR 240-125.040	Public Service Commission		42 MoReg 1187		
4 CSR 240-125.050	Public Service Commission		42 MoReg 1187		
4 CSR 240-125.060	Public Service Commission		42 MoReg 1188		
4 CSR 240-125.070	Public Service Commission		42 MoReg 1189		
4 CSR 240-125.090	Public Service Commission		42 MoReg 1192		
4 CSR 240-126.010	Public Service Commission		42 MoReg 1192		
4 CSR 240-126.020	Public Service Commission		42 MoReg 1193		
4 CSR 240-127.010	Public Service Commission		42 MoReg 1194		
4 CSR 340-2	Division of Energy				41 MoReg 1440 42 MoReg 749
4 CSR 340-6.010	Division of Energy		41 MoReg 1908		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-100.210	Division of Learning Services		42 MoReg 1071		
5 CSR 20-300.150	Division of Learning Services		42 MoReg 1072		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 255-1.010	Fertilizer Control Board	42 MoReg 955	42 MoReg 964		
6 CSR 255-10.010	Fertilizer Control Board	42 MoReg 955	42 MoReg 964		
6 CSR 255-10.020	Fertilizer Control Board	42 MoReg 956	42 MoReg 967		
DEPARTMENT OF TRANSPORTATION					
7 CSR	Department of Transportation				41 MoReg 845
7 CSR 10-18.020	Missouri Highways and Transportation Commission		42 MoReg 91		
7 CSR 10-19.010	Missouri Highways and Transportation Commission		42 MoReg 93R		
7 CSR 60-2.010	Traffic and Highway Safety Division		41 MoReg 1688		
7 CSR 60-2.020	Traffic and Highway Safety Division		41 MoReg 1689		
7 CSR 60-2.030	Traffic and Highway Safety Division		41 MoReg 1690		
7 CSR 60-2.040	Traffic and Highway Safety Division		41 MoReg 1695		
7 CSR 60-2.050	Traffic and Highway Safety Division		41 MoReg 1699		
7 CSR 60-2.060	Traffic and Highway Safety Division		41 MoReg 1699		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR	Department of Labor and Industrial Relations				41 MoReg 845
DEPARTMENT OF MENTAL HEALTH					
9 CSR	Department of Mental Health				41 MoReg 845
DEPARTMENT OF NATURAL RESOURCES					
10 CSR	Department of Natural Resources				41 MoReg 845
10 CSR 10-6.250	Air Conservation Commission		40 MoReg 1023	41 MoReg 37	
DEPARTMENT OF PUBLIC SAFETY					
11 CSR	Department of Public Safety				42 MoReg 990
11 CSR 30-16.010	Office of the Director		42 MoReg 180		
11 CSR 30-16.020	Office of the Director		42 MoReg 182		
11 CSR 45-4.020	Missouri Gaming Commission		41 MoReg 1543		
11 CSR 45-5.053	Missouri Gaming Commission		41 MoReg 1543		
11 CSR 45-9.120	Missouri Gaming Commission		41 MoReg 1544		
11 CSR 75-13.010	Peace Officer Standards and Training Program		42 MoReg 431	42 MoReg 1111	
11 CSR 75-13.060	Peace Officer Standards and Training Program		42 MoReg 432	42 MoReg 1111	
11 CSR 75-14.030	Peace Officer Standards and Training Program		42 MoReg 432	42 MoReg 1111	
11 CSR 75-15.010	Peace Officer Standards and Training Program		42 MoReg 432	42 MoReg 1111	
11 CSR 75-15.020	Peace Officer Standards and Training Program		42 MoReg 433	42 MoReg 1112	
			42 MoReg 1031		
DEPARTMENT OF REVENUE					
12 CSR	Department of Revenue				42 MoReg 990
12 CSR 10-23.600	Director of Revenue	42 MoReg 1223	42 MoReg 1196		
12 CSR 10-24.200	Director of Revenue		42 MoReg 1232		
12 CSR 10-26.010	Director of Revenue		42 MoReg 781	42 MoReg 1202	
12 CSR 30-4.010	State Tax Commission		41 MoReg 160		
DEPARTMENT OF SOCIAL SERVICES					
13 CSR	Department of Social Services				42 MoReg 990
13 CSR 40-2.030	Family Support Division	42 MoReg 1057	42 MoReg 1072		
13 CSR 40-8.020	Family Support Division	42 MoReg 1060	42 MoReg 1086		
13 CSR 65-3.050	Missouri Medicaid Audit and Compliance		42 MoReg 781		
13 CSR 70-10.016	MO HealthNet Division	41 MoReg 1054			
		42 MoReg 1225	42 MoReg 1233		
13 CSR 70-10.030	MO HealthNet Division	This Issue	This Issue		
13 CSR 70-15.010	MO HealthNet Division	42 MoReg 1061	42 MoReg 1097		
13 CSR 70-15.110	MO HealthNet Division	42 MoReg 1063	42 MoReg 1101		
13 CSR 110-2.140	Division of Youth Services		42 MoReg 716	42 MoReg 1329	
DEPARTMENT OF CORRECTIONS					
14 CSR	Department of Corrections				42 MoReg 990

Rule Number	Agency	Emergency	Proposed	Order	In Addition
ELECTED OFFICIALS					
15 CSR 30-3.010	Secretary of State	42 MoReg 956R	42 MoReg 967R		
15 CSR 30-3.020	Secretary of State	42 MoReg 957	42 MoReg 967		
15 CSR 30-3.030	Secretary of State	42 MoReg 958	42 MoReg 970		
15 CSR 30-3.040	Secretary of State	42 MoReg 958	42 MoReg 970		
15 CSR 30-3.050	Secretary of State	42 MoReg 959	42 MoReg 971		
15 CSR 30-3.100	Secretary of State	42 MoReg 960	42 MoReg 971		
15 CSR 30-100.010	Secretary of State		42 MoReg 782	42 MoReg 1270	
15 CSR 30-100.015	Secretary of State		42 MoReg 783	42 MoReg 1271	
15 CSR 30-100.020	Secretary of State		42 MoReg 783	42 MoReg 1271	
15 CSR 30-100.030	Secretary of State		42 MoReg 784	42 MoReg 1271	
15 CSR 30-100.040	Secretary of State		42 MoReg 784R	42 MoReg 1271R	
15 CSR 30-100.050	Secretary of State		42 MoReg 784R	42 MoReg 1271R	
15 CSR 30-100.060	Secretary of State		42 MoReg 785	42 MoReg 1271	
15 CSR 30-100.070	Secretary of State		42 MoReg 785	42 MoReg 1272	
15 CSR 30-100.080	Secretary of State		42 MoReg 786	42 MoReg 1272	
15 CSR 30-120.010	Secretary of State	42 MoReg 1297	42 MoReg 1318		
15 CSR 30-120.020	Secretary of State	42 MoReg 1298	42 MoReg 1318		
15 CSR 30-120.030	Secretary of State	42 MoReg 1298	42 MoReg 1319		
15 CSR 30-120.040	Secretary of State	42 MoReg 1299	42 MoReg 1320		
15 CSR 30-120.050	Secretary of State	42 MoReg 1299	42 MoReg 1320		
15 CSR 30-120.060	Secretary of State	42 MoReg 1300	42 MoReg 1321		
15 CSR 30-120.070	Secretary of State	42 MoReg 1301	42 MoReg 1321		
15 CSR 40-3.170	State Auditor	42 MoReg 1017	42 MoReg 1031		
15 CSR 40-4.010	State Auditor		42 MoReg 910	This Issue	
15 CSR 40-4.020	State Auditor		42 MoReg 910	This Issue	
15 CSR 40-4.030	State Auditor		42 MoReg 911R	This IssueR	
15 CSR 40-4.040	State Auditor		42 MoReg 911R	This IssueR	
15 CSR 60-10.030	Attorney General		42 MoReg 974		
15 CSR 60-16.010	Attorney General		42 MoReg 717	42 MoReg 1272	
15 CSR 60-16.020	Attorney General		42 MoReg 718	42 MoReg 1272	
15 CSR 60-16.030	Attorney General		42 MoReg 718	42 MoReg 1272	
15 CSR 60-16.040	Attorney General		42 MoReg 719	42 MoReg 1272	
15 CSR 60-16.050	Attorney General		42 MoReg 719	42 MoReg 1273	
RETIREMENT SYSTEMS					
16 CSR 50-2.140	The County Employees' Retirement Fund		42 MoReg 1107		
16 CSR 50-20.120	The County Employees' Retirement Fund		42 MoReg 1107		
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 10-10	Office of the Director				42 MoReg 991
19 CSR 15-8.410	Division of Senior and Disability Services		40 MoReg 131		
19 CSR 30-40.309	Division of Regulation and Licensure	42 MoReg 709	42 MoReg 720	This Issue	
19 CSR 30-40.365	Division of Regulation and Licensure		42 MoReg 1322		
19 CSR 30-40.720	Division of Regulation and Licensure	42 MoReg 1302	42 MoReg 1322		
19 CSR 30-81.030	Division of Regulation and Licensure	42 MoReg 1137	42 MoReg 1197		
19 CSR 40-12.010	Division of Maternal, Child and Family Health		42 MoReg 726	This Issue	
19 CSR 60-50	Missouri Health Facilities Review Committee				42 MoReg 1113 42 MoReg 1330 This Issue
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Applied Behavior Analysis Maximum Benefit				42 MoReg 321
20 CSR	Construction Claims Binding Arbitration Cap				41 MoReg 1925
20 CSR	Sovereign Immunity Limits				41 MoReg 1925
20 CSR	State Legal Expense Fund Cap				41 MoReg 1925
20 CSR 2015-1.030	Acupuncturist Advisory Committee	42 MoReg 156			
20 CSR 2070-2.090	State Board of Chiropractic Examiners	41 MoReg 1525			
20 CSR 2110-2.001	Missouri Dental Board		42 MoReg 1107		
20 CSR 2110-2.120	Missouri Dental Board		42 MoReg 976		
20 CSR 2197-1.040	Board of Therapeutic Massage	41 MoReg 825			
20 CSR 2200-4.020	State Board of Nursing	42 MoReg 861	42 MoReg 867	42 MoReg 1329	
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20 CSR 2200-8.030	State Board of Nursing		42 MoReg 790	42 MoReg 1273	
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20 CSR 2233-1.040	State Committee of Marital and Family Therapists	42 MoReg 1065	42 MoReg 1108		
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6 CSR 255-1.010	General Organization42 MoReg 955	June 3, 2017Nov. 29, 2017
6 CSR 255-10.010	Tonnage Fee42 MoReg 955	June 3, 2017Nov. 29, 2017
6 CSR 255-10.020	Permit Fee42 MoReg 956	June 3, 2017Nov. 29, 2017
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12 CSR 10-23.600	Complaint, Inspection, and Disciplinary Process for Transportation Network Companies42 MoReg 1223	Aug. 28, 2017Feb. 23, 2018
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13 CSR 40-2.030	Definitions Relating to Real and Personal Property42 MoReg 1057	July 1, 2017Feb. 22, 2018
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13 CSR 70-10.016	Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates42 MoReg 1225	Aug. 1, 2017Feb. 22, 2018
13 CSR 70-10.030	Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services . . . . .	.This Issue	Sept. 1, 2017Feb. 27, 2018
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	.42 MoReg 1061	July 1, 2017Feb. 22, 2018
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)42 MoReg 1063	July 1, 2017Feb. 22, 2018
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15 CSR 30-3.010	Voter Identification Affidavit (Res)42 MoReg 956	June 1, 2017Feb. 22, 2018
15 CSR 30-3.020	Provisional Ballots and Envelopes for Registered Voters under Voter Identification Law . . . . .	.42 MoReg 957	June 1, 2017Feb. 22, 2018
15 CSR 30-3.030	Procedures for Registered Voters Returning to the Polling Place with Identification . . . . .	.42 MoReg 958	June 2, 2017Feb. 22, 2018
15 CSR 30-3.040	Procedures for Identity Verification for Provisional Ballots for Registered Voters under Voter Identification Law, Counting Approved Ballots, and Recordkeeping . . . . .	.42 MoReg 958	June 1, 2017Feb. 22, 2018
15 CSR 30-3.050	Voter Inquiries as to Whether Provisional Ballot for Registered Voter was Counted . . . . .	.42 MoReg 959	June 1, 2017Feb. 22, 2018
15 CSR 30-3.100	Procedures for Obtaining One (1) Copy of Documents Needed to Obtain Free Personal Identification for Voting	.42 MoReg 960	June 1, 2017Feb. 22, 2018
15 CSR 30-120.010	Definitions42 MoReg 1297	Aug. 28, 2017Feb. 22, 2018
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15 CSR 30-120.030	Application to Register as a Foreign Family Trust Company42 MoReg 1298	Aug. 28, 2017Feb. 22, 2018
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15 CSR 30-120.050	Records42 MoReg 1299	Aug. 28, 2017Feb. 22, 2018
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15 CSR 30-120.070	Application Process and Forms42 MoReg 1301	Aug. 28, 2017Feb. 22, 2018
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15 CSR 40-3.170	Addendum Filed with the Auditor's Office42 MoReg 1017	June 26, 2017Dec. 22, 2018
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19 CSR 30-40.309	Application and Licensure Requirements Standards for the Licensure and Relicensure of Ground Ambulance Services	.42 MoReg 709	March 26, 2017Jan. 3, 2018
19 CSR 30-40.720	Stroke Center Designation Application and Review . . . . .	.42 MoReg 1302	Aug. 17, 2017Feb. 22, 2018
19 CSR 30-81.030	Evaluation and Assessment Measures for Title XIX Recipients and Applicants in Long-Term Care Facilities42 MoReg 1137	July 15, 2017Feb. 22, 2018

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20 CSR 2200-4.020	Requirements for Licensure42 MoReg 861	May 9, 2017	Feb. 15, 2018
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20 CSR 2220-2.650	Standards of Operation for a Class J: Shared Services		
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20 CSR 2220-4.010	General Fees42 MoReg 710	April 21, 2017	Dec. 1, 2017
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20 CSR 2233-1.040	Fees42 MoReg 1065	Aug. 1, 2017	Feb. 22, 2018
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22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations (Res.)	This Issue	Oct. 1, 2017March 29, 2018
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations	This Issue	Oct. 1, 2017March 29, 2018
22 CSR 10-2.120	Partnership Incentive Provisions and Limitations (Res.)	This Issue	Oct. 1, 2017March 29, 2018
22 CSR 10-2.120	Partnership Incentive Provisions and Limitations	This Issue	Oct. 1, 2017March 29, 2018

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	<u>2017</u>		
17-21	Governor activates the state militia in anticipation of unrest in the St. Louis region.	Sept. 14, 2017	Next Issue
17-20	Governor establishes a board of inquiry to review evidence and provide a recommendation on the death sentence for inmate Marcellus Williams.	Aug. 22, 2017	This Issue
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget and permanently reducing appropriation lines in the fiscal year 2017 budget.	Aug. 1, 2017	42 MoReg 1307
17-19	Directs the Department of Health and Senior Services, the Department of Mental Health, the Department of Public Safety, the Department of Natural Resources, and the Department of Conservation to identify, train, equip, and assess law enforcement and emergency responder efforts to combat Missouri's Opioid Public Health Crisis.	July 18, 2017	42 MoReg 1229
17-18	Directs the Department of Health and Senior Services to create a prescription drug monitoring program.	July 17, 2017	42 MoReg 1143
Amended Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	July 6, 2017	42 MoReg 1139
17-17	Creates the Missouri Justice Reinvest Taskforce to analyze Missouri's corrections system and recommend improvements.	June 28, 2017	42 MoReg 1067
Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	June 7, 2017	42 MoReg 1024
Proclamation	Governor convenes the First Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding attracting new jobs to Missouri.	May 18, 2017	42 MoReg 1022
17-16	Temporarily grants the Director of the Missouri Department of Revenue discretionary authority to adjust certain rules and regulations.	May 11, 2017	42 MoReg 909
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	42 MoReg 907
17-14	Temporarily grants the Director of the Missouri Department of Natural Resources discretionary authority to adjust certain environmental rules and regulations.	May 4, 2017	42 MoReg 905
17-13	Activates the state militia in response to severe weather that began on April 28, 2017.	April 30, 2017	42 MoReg 865
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	42 MoReg 863
17-11	Establishes the Boards and Commissions Task Force to recommend 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 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 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 governor and serve as a member of the governor's executive team.	January 11, 2017	42 MoReg 264

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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 <i>Code of State Regulations</i> by May 31, 2018.	January 10, 2017	42 MoReg 261
17-02	Orders state employees of the executive branch of Missouri state government 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
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16-10	Reauthorizes the Governor's Committee to End Chronic Homelessness until December 31, 2020.	December 30, 2016	42 MoReg 159
16-09	Advises that state offices in Cole County will be closed on Monday 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 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 Poet Laureate Advisory Committee is hereby established.	May 27, 2016	41 MoReg 828
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 history would render an applicant ineligible for the position.	April 11, 2016	41 MoReg 658
16-03	Extends Executive Orders 15-10, 15-11, and 16-02 until February 22, 2016, due to severe weather that began on December 22, 2015.	Jan. 22, 2016	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

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