Volume 42, Number 6 Pages 345–376 March 15, 2017

SALUS POPULI SUPREMA LEX ESTO

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



JOHN R. ASHCROFT SECRETARY OF STATE

MISSOURI REGISTER

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The Missouri Register is published semi-monthly by

SECRETARY OF STATE

JOHN R. ASHCROFT

Administrative Rules Division
James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

DIRECTOR

WAYLENE W. HILES

Managing Editor

CURTIS W. TREAT

EDITOR

AMANDA MCKAY

Associate Editor

VONNE KILBOURN

ASSISTANT EDITOR

MARTY SPANN

Publication Technician Jacqueline D. White

Administrative Assistant Alisha Dudenhoeffer

ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

MISSOURI REGISTER

Office of the Secretary of State Administrative Rules Division PO Box 1767 Jefferson City, MO 65102

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Missouri



REGISTER

March 15, 2017 Vol. 42 No. 6 Pages 345–376

IN THIS ISSUE:

ORDERS OF RULEMAKING **Department of Natural Resources Department of Revenue Department of Social Services Department of Insurance, Financial Institutions** and Professional Registration Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional IN ADDITIONS **Department of Transportation** Missouri Highways and Transportation Commission 353 Department of Health and Senior Services **SOURCE GUIDES** RULE CHANGES SINCE UPDATE359

| Register | Register | Code | Code |
|-------------------|-------------------|-------------------|--------------------|
| Filing Deadlines | Publication Date | Publication Date | Effective Date |
| November 1, 2016 | December 1, 2016 | December 31, 2016 | January 30, 2017 |
| November 15, 2016 | December 15, 2016 | December 31, 2016 | January 30, 2017 |
| December 1, 2016 | January 3, 2017 | January 29, 2017 | February 28, 2017 |
| December 15, 2016 | January 17, 2017 | January 29, 2017 | February 28, 2017 |
| January 3, 2017 | February 1, 2017 | February 28, 2017 | March 30, 2017 |
| January 17, 2017 | February 15, 2017 | February 28, 2017 | March 30, 2017 |
| February 1, 2017 | March 1, 2017 | March 31, 2017 | April 30, 2017 |
| February 15, 2017 | March 15, 2017 | March 31, 2017 | April 30, 2017 |
| March 1, 2017 | April 3, 2017 | April 30, 2017 | May 30, 2017 |
| March 15, 2017 | April 17, 2017 | April 30, 2017 | May 30, 2017 |
| April 3, 2017 | May 1, 2017 | May 31, 2017 | June 30, 2017 |
| April 17, 2017 | May 15, 2017 | May 31, 2017 | June 30, 2017 |
| May 1, 2017 | June 1, 2017 | June 30, 2017 | July 30, 2017 |
| May 15, 2017 | June 15, 2017 | June 30, 2017 | July 30, 2017 |
| June 1, 2017 | July 3, 2017 | July 31, 2017 | August 30, 2017 |
| June 15, 2017 | July 17, 2017 | July 31, 2017 | August 30, 2017 |
| July 3, 2017 | August 1, 2017 | August 31, 2017 | September 30, 2017 |
| July 17, 2017 | August 15, 2017 | August 31, 2017 | September 30, 2017 |

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

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

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

 Title
 Code of State Regulations
 Division
 Chapter
 Rule

 1
 CSR
 10 1.
 010

 Department
 Agency, Division
 General area regulated
 Specific area regulated

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

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

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*.

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

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 20—Clean Water Commission Chapter 8—Design Guides

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under section 644.026, RSMo 2016, the Clean Water Commission amends a rule as follows:

10 CSR 20-8.500 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2016 (41 MoReg 1070–1077). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on the proposed amendment on October 5, 2016. The public comment period ended on November 17, 2016. At the public hearing the Missouri Department of Natural Resources (department) staff explained the proposed amendment. Comments were provided by Robert Brundage (Newman, Comley & Ruth P.C., Missouri Agribusiness Assoc. (MoAg)) and Josh Wilson (Cady Aquastore, Inc).

COMMENT #1: Mo-Ag suggests the term "environment" be removed from section (2). There is no definition for "environment" within the statue or the regulation.

RESPONSE AND EXPLANATION OF CHANGE: The words "to the environment" have been taken out of this rule. The reference to a discharge to the waters of the state is sufficient.

COMMENT #2: Mo-Ag suggests that section (5) be revised to make clear that engineering reports are only required to be prepared when a construction permit is required.

RESPONSE AND EXPLANATION OF CHANGE: Language was revised in section (5) to make it clear that engineering reports are required when facilities are submitting an application for a construction permit. Engineering reports are recommended, but not required, for other changes not requiring a construction permit.

COMMENT #3: Mo-Ag suggest an exemption to the requirement in subsection (3)(B) that a liner be installed under all liquid fertilizer tanks with a capacity of over forty thousand (40,000) gallons that existed prior to the new effective date of this rule.

RESPONSE: This rule addresses all design and construction of facilities. Only tanks of this size constructed after January 13, 1992 would have been required to have secondary containment as outlined in the Secondary Containment rule that initially became effective on that date. The rule has not been changed.

COMMENT #4: Mo-Ag suggested that the requirement in subsection (9)(D) be changed to eliminate the requirement for immediate cleanup of spilled product and require cleanup on a daily basis or immediately after unloading occurs in the event precipitation in the area is likely.

RESPONSE AND EXPLANATION OF CHANGE: The requirement for immediate cleanup of spills of dry fertilizer and pesticides has been removed from this amendment. This is an operational requirement and daily cleanup is required as stated in the operating permit.

COMMENT #5: MO-AG has concerns about any requirement to enclose the entire length of a conveyor or to require a concrete pad underneath the entire length of the conveyor. This comment applies to paragraphs (7)(C)7. and (7)(D)6.

RESPONSE AND EXPLANATION OF CHANGE: The requirement for a concrete pad under loading and unloading areas applies only to the areas at the actual transfer points. It was not the department's intent to require enclosing the entire conveyor or having a pad extend below all of the exterior portions of a conveyance system. Language in section (7) has been clarified so that mixing and loading pads are required only under exterior transfer points.

COMMENT #6: Mo-Ag suggested that the reference to "to humans or" in section (12) be removed as human safety is not under the jurisdiction of MDNR.

RESPONSE: The department believes that safety must be inherent in engineering designs for the protection of the human environment. No change has been made to this section.

COMMENT #7: Mo-Ag requested a definition for "modification" be added to this rule, and provided several examples of projects with questions about applicability.

RESPONSE AND EXPLANATION OF CHANGE: This rule applies to the construction of containment systems at new facilities. It also applies when new containment systems are being constructed at existing facilities and when existing containment systems are being replaced. It applies to all new construction or replacements. The rule does not apply to existing containment systems if they are being retained and will not be modified. For instance, if the scope of a project is limited to the replacement of a certain containment system, say a replacement tank or conveyor, the rule would only apply to that individual piece of equipment. To clarify rule applicability, minor changes to language in sections (5), (6), (7), (8), (9), (14), and (15) have been made to eliminate the reference to "modifications."

COMMENT #8: Mo-Ag requested a clarification to the intent of

section (7). Their interpretation is that it allows facilities to discharge stormwater from secondary and primary containments so long as spilled product is properly cleaned up and/or recovered prior to discharge of any stormwater.

RESPONSE: Stormwater discharges that will comply with the general permit for agrichemical facilities (MOR 240, modified September 1, 2016) and specifically with item 3 of the applicability section of the permit are allowed. Section (7) of the regulation serves to summarize the purpose of the design requirements for secondary and operational containment areas. They are used to prevent discharges of spilled products and contaminated stormwater until cleanup and recovery is complete. Stormwater discharges from these operation containment areas are allowed. This section has been modified to clarify that these containment areas should be designed to contain any spilled product to prevent a discharge of water contaminants.

COMMENT #9: Mo-Ag suggests the rule state a specific effective date six (6) months after the rule becomes effective to address concerns about facilities that may have already been designed.

RESPONSE: New design requirements will be effective thirty (30) days after publication in the *Code of State Regulations*, which would occur about forty-five (45) days after the Clean Water Commission's decision, so there should be adequate notice for changes. The department will consider justifiable deviations as the changes to this rule are not extensive.

COMMENT #10: Josh Wilson, with Cady Aquastore, Inc., questioned why the use of a liner as a primary containment for liquid fertilizer and the tank as the secondary containment was not added to the amendment. Several tank representatives had attended the public hearing and made this request.

RESPONSE: This is outside of the scope of this rulemaking. This change can be considered in future revisions when the department has more experience with this type of construction. The department has reviewed two (2) projects that use liners as primary containment and they have been approved as deviations. Applications in the near future can be reviewed and approved in the same manner.

10 CSR 20-8.500 Design Requirements for Agrichemical Facilities

- (2) General. A facility need only to comply with these rules when they come within the definition of an agrichemical facility. Any construction after the effective date of this rule shall be in compliance with all of these rules before the commencement of any operational activities or any storage or use of agrichemicals. Any existing agrichemical facility that has a discharge of agrichemicals or process generated wastewater is required to take immediate steps to implement the secondary and operational containment requirements contained in this rule in addition to any other remedy required. All new operations shall be designed to be no discharge.
- (5) Engineering Report. An engineering report is required for all facilities required to submit an application for a construction permit and is recommended for all facilities. The engineering report assembles basic information, presents design criteria and assumptions, examines alternate projects with preliminary layouts and cost estimates, offers a conclusion with a proposed project for client consideration, and outlines official actions and procedures to implement the project. Engineering reports shall contain the following information and other pertinent information and may be combined with other engineering documentation:
- (C) Existing conditions at the agrichemical facility and proposed construction at the facility shall be discussed;
- (6) Primary Containment for Bulk Agrichemicals for new construction. Containers and appurtenances used as the primary containment in the storage and handling of bulk agrichemicals shall be construct-

- ed, installed, and maintained to prevent a discharge and shall be of materials and construction compatible with the specifications of the product stored.
- (7) Secondary Containment for Bulk Agrichemicals for new construction. Secondary containment for nonmobile bulk pesticides and nonmobile bulk fertilizers shall be designed to contain any spilled product to prevent a discharge.
 - (C) Nonmobile Bulk Dry Fertilizer Storage.
- 1. Dry fertilizer shall be stored inside a sound structure to prevent contact with precipitation. All surface water runoff shall be diverted away from the storage structure.
- 2. All unloading, loading, mixing, and handling of dry bulk fertilizers should be done on an operational containment area.
- 3. Pesticide impregnation of dry fertilizer shall take place within an operational containment area adequate in size to hold the volume of pesticides used and impregnation equipment.
- 4. Daily cleanup of the dry fertilizer loading, unloading, mixing, and handling areas shall take place.
- 5. Whenever feasible, dry fertilizer spreading equipment should be cleaned in the field to minimize containment and disposal requirements at the operational containment area.
- 6. The floors of the bulk dry fertilizer storage area shall be paved with concrete or other approved materials that will prevent the downward movement of fertilizer materials and moisture through the floor. For concrete floors and walls, expansion joints shall be placed on a close enough spacing to prevent cracks from forming. The expansion joints shall be sealed with a material resistant to agrichemicals. Cracks that occur in the floors and walls shall be sealed to prevent the downward or lateral movement of fertilizer materials and moisture.
- 7. A mixing and loading pad shall be constructed under any exterior transfer area of a conveyance system.
 - (D) Nonmobile Bulk Dry Pesticide Storage.
- 1. Dry pesticides shall be stored inside a sound structure to prevent contact with precipitation. All surface water runoff shall be diverted away from the storage structure.
- 2. All loading, mixing, and handling of bulk dry pesticides should be done on an operational containment area.
- 3. Daily cleanup of the bulk dry pesticide loading, unloading, mixing, and handling areas shall take place.
- 4. Whenever feasible, bulk dry pesticide spreading equipment should be cleaned in the field to minimize containment and disposal requirements at the operational containment area.
- 5. The floors of the bulk dry pesticide storage area shall be paved with concrete or other approved materials that will prevent the downward movement of pesticide materials and moisture through the floor. For concrete floors and walls, expansion joints shall be placed on a close enough spacing to prevent cracks from forming. The expansion joints shall be sealed with a material resistant to agrichemicals. Cracks that occur in the floors and walls shall be sealed to prevent the downward or lateral movement of pesticide materials and moisture.
- 6. A mixing and loading pad shall be constructed under any exterior transfer area of a conveyance system.
- (8) Operational Containment for bulk liquid pesticides and bulk liquid fertilizers for new construction. The operational containment area for bulk liquid pesticides and bulk liquid fertilizers shall be designed to contain any product discharged or collected precipitation for the amount of time required for proper cleanup and recovery.
- (9) Operational Containment Area for bulk dry pesticides and bulk dry fertilizers for new construction. The operational containment area for bulk dry pesticides and bulk dry fertilizers shall be sized and designed to contain any spillage or leakage of dry materials that occurs from the loading and unloading of hauling or spreading equipment and from the mixing and blending equipment or precipitation

that comes in contact with the operational containment area for the amount of time required for proper cleanup and recovery.

(D) For unloading dry pesticides and dry fertilizers from rail cars, a catchment basin or concrete pad that can effectively contain the dry fertilizer or pesticide that may be discharged during the unloading process shall be used.

(14) Plans.

(A) General. All plans for primary, secondary, and operational containment structures for new construction at agrichemical facilities shall bear the name of the agrichemical facility and shall show the scale in feet, a graphic scale, the north point, date, and the name of the engineer, certificate number and imprint of his/her registration seal. The plans shall be clear and legible. They shall be drawn to a scale which will permit all necessary information to be plainly shown. The size of the plans generally should not be larger than thirty inches by forty-two inches (30" \times 42") (76 cm \times 107 cm). Datum used should be indicated. Locations and logs of test borings and when made shall be shown on the plans. Detail plans shall consist of plan views, elevations, sections, and supplementary views which, together with the specifications and general layouts, provide the working information for the contract and construction of the containment facilities. Plans shall include dimensions and relative elevations of structures, the location and outline form of equipment, storage tanks, location and size of piping, and ground elevations.

(B) Plans for new construction.

- 1. Location plan. A plan shall show the location of the agrichemical facility in relation to streams, roads, water supply systems, property lines, and any dwellings or structures not owned by the agrichemical facility in the immediate area of the facility.
- 2. General layout. Layouts of the proposed agrichemical containment facility shall show topography of the site, size, and location of storage tanks and containment structures, schematic flow diagram showing the flow through the various agrichemical mixing and handling systems, piping including any arrangements for bypassing individual systems, agrichemical handled and direction of flow through pipes, pumps and valves used for handling agrichemicals, storage areas for waste materials that cannot be reused (mud and sediment from sumps, dry fertilizer, and pesticide materials accumulated during clean up processes, etc.), any test borings showing soil and rock elevations and composition at the proposed site, and information showing existing groundwater elevations in relation to proposed liner installation and containment area floors shall be provided.
- 3. Detail plans. Unless otherwise covered by the specifications or engineer's report, detail plans shall show location, dimensions, and elevations of all existing and proposed facilities; elevations of high and low groundwater level; size, pertinent features, and operating capacity of all pumps, tanks, containment areas, and other mechanical devices associated with the operation of the agrichemical facility and adequate description of any other features pertinent to the design and operation of the agrichemical containment facility.
- (15) Specifications. Complete technical specifications for new construction shall be included with the plans. The specifications included with construction drawings shall include, but not be limited to, all construction information not shown on the drawings which is necessary to inform the builder in detail of the design requirements as to the quality of materials and workmanship and fabrication of the project and type, size, strength, operating characteristics, and rating of equipment; the complete requirements for all mechanical and electrical equipment, including machinery, valves, piping and jointing of pipe; electrical apparatus, wiring, and instrumentation; operating tools; construction materials; special construction materials such as clay, sand, concrete, or steel; miscellaneous appurtenances; instructions for testing materials and equipment as necessary to meet design standards and performance tests for the completed works and component units. It is suggested that these performance tests be conducted at the design conditions for the operation of the agrichemical facility whenever practical.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 41—General Tax Provisions

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.065, RSMo 2016, the director amends a rule as follows:

12 CSR 10-41.010 Annual Adjusted Rate of Interest is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2016 (41 MoReg 1805–1807). 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 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 4—Conditions of Participant Participation, Rights and Responsibilities

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.040, 208.201, and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-4.090 State-Funded Missouri Woman's Health Services Program is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 17, 2016 (41 MoReg 1468–1471). 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 MO HealthNet Division received one (1) comment on the proposed amendment.

COMMENT: David H. Perlmutter, M.D., Executive Vice Chancellor for Medical Affairs and Dean of Washington University in St. Louis School of Medicine, commented that MO HealthNet has obligations to assess the likely negative public health outcomes by reducing access to contraceptive services and to fully estimate the costs to MO HealthNet of these negative health outcomes.

RESPONSE: MO HealthNet believes there will be medical professionals to provide sufficient Women's Health Services. No changes have been made to the amendment as a result of this comment.

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

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 19—Standards for Surveyor's Real Property Report

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects.

Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects under sections 327.041 and 327.272, RSMo 2016, the board amends a rule as follows:

20 CSR 2030-19.010 Surveyor's Real Property Report is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2016 (41 MoReg 1808). 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 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 20—Mapping Survey Standards

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects under section 327.041, RSMo 2016, the board amends a rule as follows:

20 CSR 2030-20.030 Certification of the Map is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2016 (41 MoReg 1808–1809). 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 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2085—Board of Cosmetology and Barber Examiners Chapter 3—License Fees

ORDER OF RULEMAKING

By the authority vested in the Board of Cosmetology and Barber Examiners under sections 328.060.1 and 329.025(4), RSMo 2016, the board amends the rule as follows:

20 CSR 2085-3.010 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2016 (41 MoReg 1809–1815). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

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

IN ADDITION

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

PUBLIC NOTICE

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

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

DATES: Comments must be received at the address stated below, on or before, April 17, 2017.

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

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

COMMENTS RECEIVED BECOME MoDOT PUBLIC RECORD

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

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

SUPPLEMENTARY INFORMATION:

Public Participation

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

Background

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

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

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

Qualifications of Applicants

Application #148

Renewal Applicant's Name & Age: John E. Duchon, 60

Relevant Physical Condition: Vision impaired.

Mr. Duchon's best uncorrected visual acuity in his left eye is 20/20 Snellen. He is blind in his right eye. Mr. Duchon has had this visual impairment since September 23, 2008.

Relevant Driving Experience: Mr. Duchon has approximately ten (10) years of commercial motor vehicle experience. Mr. Duchon currently has a Class A license. In addition, he has experience driving personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in November 2016, a board-certified ophthalmologist certified his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

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

Request for Comments

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

Issued on: February 6, 2017

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

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 May 1, 2017. These applications are available for public inspection at the address shown below.

Date Filed

Project Number: Project Name

City (County) Cost, Description

2/8/2017

#5408 HS: Bridge Tree Behavioral Hospital

Farmington (St. Francois County)

\$832,768, Establish 16-bed Psychiatric Hospital

2/16/2017

#5432 RS: Windsor Estates of St. Charles

St. Charles (St. Charles County)

\$870,808, Renovate and Modernize 90-bed ALF and add 9 ALF beds

#5431 RS: Harbor Place

Linn (Osage County)

\$1,610,000, Establish 24-bed RCF

#5433 RS: Springhouse Village Rogersville (Greene County) \$13,582,500, Establish 85-bed ALF

2/17/2017

#5434 RS: St. Joseph Missouri I, LLC St. Joseph (Buchanan County)

\$7,716,452, Establish 65-bed ALF

#5435 HS: Centerpoint Medical Center Independence (Jackson County)

\$2,128,844, Add Additional Robotic Surgery System

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 March 23, 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 dissolutions@sos.mo.gov.

Notice of Winding Up to All Creditors of and Claimants Against KLEINSCHMIDT & SHORT, L.C.

On December 28, 2016, KLEINSCHMIDT & SHORT, L.C., a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. KLEINSCHMIDT & SHORT, L.C. requests that all persons and organizations who have claims against it present them immediately by letter to KLEINSCHMIDT & SHORT, L.C., c/o CHARLENE D. SHORT, 605 N. MAIN STREET, HIGGINSVILLE, MO 64037.

All claims must include the following information: (a) name and address of the claimant, (b) the amount claimed, (c) date on which the claim arose, (d) basis for the claim and documentation thereof, and (e) whether or not the claim was secured and, if so, the collateral used as security.

All claims against KLEINSCHMIDT & SHORT, L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST THE FAMILY-WESTERN STORE, INC.

On December 28, 2016, THE FAMILY-WESTERN STORE, INC., a Missouri corporation, filed its Articles of Voluntary Dissolution with the Missouri Secretary of State. THE FAMILY-WESTERN STORE, INC. requests that all persons and organizations who have claims against it present them immediately by letter to THE FAMILY-WESTERN STORE, INC., c/o CHARLENE D. SHORT, 605 N. MAIN STREET, HIGGINSVILLE, MO 64037.

All claims must include the following information: (a) name and address of the claimant, (b) the amount claimed, (c) date on which the claim arose, (d) basis for the claim and documentation thereof, and (e) whether or not the claim was secured and, if so, the collateral used as security.

All claims against THE FAMILY-WESTERN STORE, INC. will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST TABLE ROCK WEEKENDER SOLUTIONS, INC

TABLE ROCK WEEKENDER SOLUTIONS, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on January 4, 2017.

Any claims against TABLE ROCK WEEKENDER SOLUTIONS, INC. may be sent to Joy Williams, 422 S. Sergeant, Joplin, MO 64801. Each claim should include the following information: the name, address, and telephone number of the claimant; the amount of the claim; the basis of the claim; and date(s) of the event(s) on which the claim is based.

Any claims against TABLE ROCK WEEKENDER SOLUTIONS, INC will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

NOTICE OF DISSOLUTION
TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
TOWN SQUARE FUND, INC.

TOWN SQUARE FUND, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on January 23, 2017. Any and all claims against TOWN SQUARE FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against TOWN SQUARE FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST CLAYTON ROAD INVESTMENTS, L.L.C.

On 2/7/17, Clayton Road Investments, L.L.C. ("Company") filed its Notice of Winding Up with the Missouri Secretary of State. Persons with claims against Company must furnish the amount of the claim, basis for the claim, and documentation for the claim. Claims against Company shall be mailed to Greensfelder, Hemker & Gale, P.C., Attn: Jennifer L. Therrien, 10 S. Broadway, Suite 2000, St. Louis, Missouri 63102. All claims against Company will be barred unless a 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 SCS LIFE SKILLS FUND, INC.

SCS LIFE SKILLS FUND, INC., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on January 23, 2017. Any and all claims against SCS LIFE SKILLS FUND, INC. may be sent to Jonathan Goldstein, Advantage Capital, 190 Carondelet Plaza, Suite 1500, St. Louis, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against SCS LIFE SKILLS FUND, INC. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date of this notice is published.

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST FORSYTH BOULEVARD INVESTMENTS, L.L.C.

On 12/9/13, Forsyth Boulevard Investments, L.L.C. ("Company") filed its Notice of Winding Up with the Missouri Secretary of State. Persons with claims against Company must furnish the amount of the claim, basis for the claim, and documentation for the claim. Claims against Company shall be mailed to Robert J. Mach, 10665 Baur, St. Louis, Missouri 63132. All claims against Company will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.

NOTICE OF WINDING UP OF CORPORATION TO ALL CREDITORS AND POSSIBLE CLAIMANTS AGAINST KGGF-KUSN, INC.

On December 29, 2016, KGGF-KUSN, Inc., a Missouri corporation (hereinafter, the "Corporation") filed its Articles of Voluntary Dissolution with the Missouri Secretary of State effective upon the filing date.

Any claims against the Corporation must be sent to c/o Robert B. Mahaffey, KGGF-KUSN, Inc., 3327 East Ridgeview Springfield, MO 65804. Each claim must include the following information: the name, address, and phone number of the claimant; the date on which the claim arose; the basis for the claim; and any documentation for the claim.

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

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST

CLINICAL RADIOLOGICAL CONSULTANTS, INC.

On January 30, 2017, Clinical Radiological Consultants, Inc., a Missouri corporation (the "Corporation"), filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective upon this date.

You are hereby notified that if you believe you have a claim against the Corporation, you must submit a written summary of your claim to the Corporation in care of Mark H. Gilgus, 2323 Grand Boulevard, Suite 1000, Kansas City, Missouri 64108. 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 claim is based occurred;
- 4. A brief description of the nature of the debt or the basis for the claim; and
- 5. Whether the claim is secured, and if so, the collateral used as security.

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

March 15, 2017 Vol. 42, No. 6

Rule Changes Since Update to Code of State Regulations

MISSOURI REGISTER

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

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|------------------------------------|--|-----------|--------------------------------|------------------------------|---------------|
| 1 CSR 10 | OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedul | e | | | 41 MoReg 1477 |
| 1 CSR 10-12.011 | Commissioner of Administration | | 41 MoReg 1526 | 42 MoReg 269 | II Moreg 1177 |
| 1 CSR 15-3.200 | Administrative Hearing Commission | | 41 MoReg 1529 | 42 MoReg 269 | |
| 1 CSR 15-3.210 1 CSR 15-3.250 | Administrative Hearing Commission Administrative Hearing Commission | | 41 MoReg 1529 41 MoReg 1529 | 42 MoReg 269 42 MoReg 269 | |
| 1 CSR 15-3.230 1 CSR 15-3.270 | Administrative Hearing Commission Administrative Hearing Commission | | 41 MoReg 1529 41 MoReg 1530 | 42 MoReg 209 42 MoReg 270 | |
| 1 CSR 15-3.290 | Administrative Hearing Commission | | 41 MoReg 1530 | 42 MoReg 270 | |
| 1 CSR 15-3.320 | Administrative Hearing Commission | | 41 MoReg 1533 | 42 MoReg 270 | |
| 1 CSR 15-3.350 | Administrative Hearing Commission | | 41 MoReg 1533 | 42 MoReg 270 | |
| 1 CSR 15-3.380 1 CSR 15-3.390 | Administrative Hearing Commission Administrative Hearing Commission | | 41 MoReg 1534 41 MoReg 1535 | 42 MoReg 270 42 MoReg 270 | |
| 1 CSR 15-3.410 | Administrative Hearing Commission | | 41 MoReg 1535 | 42 MoReg 271 | |
| 1 CSR 15-3.420 | Administrative Hearing Commission | | 41 MoReg 1535 | 42 MoReg 271 | |
| 1 CSR 15-3.425 | Administrative Hearing Commission | | 41 MoReg 1536 | 42 MoReg 271 | |
| 1 CSR 15-3.431 1 CSR 15-3.446 | Administrative Hearing Commission Administrative Hearing Commission | | 41 MoReg 1536 41 MoReg 1537 | 42 MoReg 271 42 MoReg 271 | |
| 1 CSR 15-3.560 | Administrative Hearing Commission | | 41 MoReg 1537 | 42 MoReg 272 | |
| 1 CSR 15-3.580 | Administrative Hearing Commission | | 41 MoReg 1538 | 42 MoReg 272 | |
| 1 CSR 20-5.015 | Personnel Advisory Board and Division of | | | - | |
| 1 CSR 20-5.020 | Personnel Personnel Advisory Board and Division of | | 41 MoReg 1538 | | |
| 1 CSR 20-5.020 | Personnel Personnel | | 41 MoReg 1539 | | |
| | DEPARTMENT OF AGRICULTURE | | | | |
| 2 CSR 90-1.010 | Weights, Measures and Consumer Protection | | 42 MoReg 5 | | |
| 2 CSR 90-60.010 | Weights, Measures and Consumer Protection | | 42 MoReg 6 | | |
| 2 CSR 90-60.020 | Weights, Measures and Consumer Protection | | 42 MoReg 7 | | |
| 2 CSR 90-60.030 | Weights, Measures and Consumer Protection | | 42 MoReg 7 | | |
| 2 CSR 90-60.040 2 CSR 90-60.050 | Weights, Measures and Consumer Protection Weights, Measures and Consumer Protection | | 42 MoReg 9 42 MoReg 9 | | |
| 2 CSR 90-60.060 2 CSR 90-60.060 | Weights, Measures and Consumer Protection | | 42 MoReg 9 | | |
| 2 CSR 90-60.070 | Weights, Measures and Consumer Protection | | 42 MoReg 10 | | |
| 2 CSR 90-61.010 | Weights, Measures and Consumer Protection | | 42 MoReg 22 | | |
| 2 CSR 90-61.020 | (Changed from 10 CSR 30-3.010) Weights, Measures and Consumer Protection | | 42 MoReg 23 | | |
| 2 CSK 90-01.020 | (Changed from 10 CSR 30-3.020) | | 42 Moneg 23 | | |
| 2 CSR 90-61.040 | Weights, Measures and Consumer Protection | | 42 MoReg 23 | | |
| 2 CSR 90-61.050 | (Changed from 10 CSR 30-3.040) Weights, Measures and Consumer Protection | | 42 MaDan 24 | | |
| 2 CSK 90-01.030 | (Changed from 10 CSR 30-3.050) | | 42 MoReg 24 | | |
| 2 CSR 90-61.070 | Weights, Measures and Consumer Protection | | 42 MoReg 25 | | |
| | (Changed from 10 CSR 30-3.070) | | | | |
| 2 CSR 90-61.080 | Weights, Measures and Consumer Protection (Changed from 10 CSR 30-3.080) | | 42 MoReg 25 | | |
| 2 CSR 90-62.010 | Weights, Measures and Consumer Protection | | 42 MoReg 26 | | |
| | (Changed from 10 CSR 30-4.010) | | | | |
| 2 CSR 90-62.020 | Weights, Measures and Consumer Protection | | 42 MoReg 26 | | |
| 2 CSR 90-62.030 | (Changed from 10 CSR 30-4.020) Weights, Measures and Consumer Protection | | 42 MoReg 27 | | |
| 2 CSR 90-02.030 | (Changed from 10 CSR 30-4.030) | | 42 Morceg 27 | | |
| 2 CSR 90-62.040 | Weights, Measures and Consumer Protection | | 42 MoReg 27 | | |
| 2 CSR 90-62.050 | (Changed from 10 CSR 30-4.040) | | 42 MaDaa 20 | | |
| 2 CSR 90-62.030 | Weights, Measures and Consumer Protection (Changed from 10 CSR 30-4.050) | | 42 MoReg 28 | | |
| 2 CSR 90-62.060 | Weights, Measures and Consumer Protection | | 42 MoReg 29 | | |
| | (Changed from 10 CSR 30-4.060) | | | | |
| 2 CSR 90-63.010 | Weights, Measures and Consumer Protection | | | | 42 MoReg 57 |
| 2 CSR 90-63.020 | (Changed from 10 CSR 30-5.011) Weights, Measures and Consumer Protection | | | | 42 MoReg 57 |
| 2 CSR 70 03.020 | (Changed from 10 CSR 30-5.020) | | | | 42 Moreg 57 |
| 2 CSR 90-64.010 | Weights, Measures and Consumer Protection | | | | 42 MoReg 57 |
| 2 CCD 00 64 020 | (Changed from 10 CSR 30-6.010) | | | | 42 McDcc 57 |
| 2 CSR 90-64.020 | Weights, Measures and Consumer Protection (Changed from 10 CSR 30-6.020) | | | | 42 MoReg 57 |
| 2 CSR 90-64.030 | Weights, Measures and Consumer Protection | | | | 42 MoReg 57 |
| | (Changed from 10 CSR 30-6.030) | | | | |
| 2 CSR 90-65.010 | Weights, Measures and Consumer Protection | | 42 MoReg 10 | | |
| 2 CSR 90-65.020 2 CSR 90-65.030 | Weights, Measures and Consumer Protection Weights, Measures and Consumer Protection | | 42 MoReg 11 42 MoReg 11 | | |
| 2 CSR 90-65.030 2 CSR 90-65.040 | Weights, Measures and Consumer Protection Weights, Measures and Consumer Protection | | 42 MoReg 11 42 MoReg 12 | | |
| 2 CSR 90-65.050 | Weights, Measures and Consumer Protection | | 42 MoReg 12 | | |
| | ₹ · · | | 2 | | |

| Rule Number 2 CSR 90-65.060 2 CSR 90-65.070 | Agency Weights, Measures and Consumer Protection Weights, Measures and Consumer Protection | Proposed 42 MoReg 13 42 MoReg 13 | Order | In Addition |
|--|--|---|--|------------------------------|
| 2 CSR 90-65.080 | Weights, Measures and Consumer Protection | 42 MoReg 14 | | |
| 3 CSR 10-5.210 3 CSR 10-6.505 3 CSR 10-6.530 3 CSR 10-7.455 | DEPARTMENT OF CONSERVATION Conservation Commission Conservation Commission Conservation Commission Conservation Commission | 41 MoReg 1300 41 MoReg 1303 41 MoReg 1303 | 42 MoReg 213 42 MoReg 213 42 MoReg 215 | 42 MoReg 220 |
| | DEPARTMENT OF ECONOMIC DEVELOPMENT | | | |
| 4 CSR 240-2.135 | Public Service Commission | 42 MoReg 14 | | |
| 4 CSR 240-4.015 4 CSR 240-4.017 | Public Service Commission Public Service Commission | 42 MoReg 17 42 MoReg 18 | | |
| 4 CSR 240-4.020 | Public Service Commission | 42 MoReg 18R 42 MoReg 19 | | |
| 4 CSR 240-4.030 4 CSR 240-4.040 | Public Service Commission | 42 MoReg 19 42 MoReg 20 | | |
| 4 CSR 240-4.050 | Public Service Commission Public Service Commission | 42 MoReg 20 | | |
| 4 CSR 240-20.092 4 CSR 240-20.093 | Public Service Commission Public Service Commission | 42 MoReg 160 42 MoReg 162 | | |
| 4 CSR 240-20.094 4 CSR 240-40.020 | Public Service Commission | 42 MoReg 168 | | |
| 4 CSR 240-40 030 | Public Service Commission Public Service Commission | 41 MoReg 1896 41 MoReg 1898 | | |
| 4 CSR 240-40.080 4 CSR 265-2.020 | Public Service Commission Division of Motor Carrier and Railroad Safety | 41 MoReg 1907 41 MoReg 1660R | | |
| 4 CSR 265-2.030 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.017) | 41 MoReg 1660 | | |
| 4 CSR 265-2.040 4 CSR 265-2.050 | Division of Motor Carrier and Railroad Safety Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.051) | 41 MoReg 1661R 41 MoReg 1662 | | |
| 4 CSR 265-2.055 | Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.052) | 41 MoReg 1662 | | |
| 4 CSR 265-2.057 | Division of Motor Carrier and Railroad Safety | 41 MoReg 1663R | | |
| 4 CSR 265-2.065 4 CSR 265-2.067 | Division of Motor Carrier and Railroad Safety Division of Motor Carrier and Railroad Safety | 41 MoReg 1663R 41 MoReg 1664R | | |
| 4 CSR 265-2.069 4 CSR 265-2.160 | Division of Motor Carrier and Railroad Safety Division of Motor Carrier and Railroad Safety | 41 MoReg 1664R 41 MoReg 1664R | | |
| 4 CSR 265-2.170 | Division of Motor Carrier and Railroad Safety | 41 MoReg 1665R | | |
| 4 CSR 265-2.200 4 CSR 265-6.030 | Division of Motor Carrier and Railroad Safety Division of Motor Carrier and Railroad Safety | 41 MoReg 1665R 41 MoReg 1665R | | |
| 4 CSR 265-14.010 4 CSR 340-2 | Division of Motor Carrier and Railroad Safety Division of Energy | 41 MoReg 1665R | | 41 MoReg 1440 |
| 4 CSR 340-4.010 | Division of Energy 41 MoReg 1895 | 41 MoReg 1907 | | 41 Mokeg 1440 |
| 4 CSR 340-6.010 | Division of Energy | 41 MoReg 1908 | | |
| 5 CSR 20-100.260 | DEPARTMENT OF ELEMENTARY AND SECONDARY EDUC Division of Learning Services | ATION 42 MoReg 85 | | |
| 5 CSR 20-100.280 | Division of Learning Services | 42 MoReg 85 42 MoReg 86 | | |
| 5 CSR 20-100.290 5 CSR 20-400.380 | Division of Learning Services Division of Learning Services | 41 MoReg 1797 | | |
| 5 CSR 20-400.385 5 CSR 20-400.640 | Division of Learning Services Division of Learning Services | 41 MoReg 1802 41 MoReg 1540 | | |
| 5 CSR 30-261.025 | Division of Financial and Administrative | | | |
| | Services | 41 MoReg 1909 | | |
| 6 CSR 10-2.190 | DEPARTMENT OF HIGHER EDUCATION Commissioner of Higher Education | 41 MoReg 1465 | 42 MoReg 216 | |
| 6 CSR 10-3.010 | Commissioner of Higher Education | 42 MoReg 174 | 42 Workey 210 | |
| 6 CSR 10-11.010 | Commissioner of Higher Education (Changed to 20 CSR 2200-7.010) | 42 MoReg 21 | | |
| | DEPARTMENT OF TRANSPORTATION | | | |
| 7 CSR | Department of Transportation | 41 M.D 1121 | 42 M.D., 272 | 41 MoReg 845 |
| 7 CSR 10-1.010 7 CSR 10-1.020 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 41 MoReg 1131 41 MoReg 1666 | 42 MoReg 272 | |
| 7 CSR 10-2.030 7 CSR 10-10.010 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 41 MoReg 1666R 42 MoReg 86 | | |
| 7 CSR 10-10.020 | Missouri Highways and Transportation Commission | 42 MoReg 86 | | |
| 7 CSR 10-10.030 7 CSR 10-10.040 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 42 MoReg 87 42 MoReg 87 | | |
| 7 CSR 10-10.050 | Missouri Highways and Transportation Commission | 42 MoReg 87 | | |
| 7 CSR 10-10.070 7 CSR 10-15.010 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 42 MoReg 88 42 MoReg 88 | | |
| 7 CSR 10-18.010 | Missouri Highways and Transportation Commission | 42 MoReg 90 | | |
| 7 CSR 10-18.020 7 CSR 10-18.030 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 42 MoReg 91 42 MoReg 91 | | |
| 7 CSR 10-18.040 | Missouri Highways and Transportation Commission | 42 MoReg 91 | | |
| 7 CSR 10-18.070 7 CSR 10-18.090 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 42 MoReg 92 42 MoReg 92 | | |
| 7 CSR 10-19.010 7 CSR 10-23.010 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 42 MoReg 93R 42 MoReg 93 | | |
| 7 CSR 10-23.010 7 CSR 10-23.020 7 CSR 10-23.030 | Missouri Highways and Transportation Commission | 42 MoReg 94 | | |
| 7 CSR 10-23.030 7 CSR 10-25.010 | Missouri Highways and Transportation Commission Missouri Highways and Transportation Commission | 42 MoReg 94 41 MoReg 1666 | | 42 MoReg 220 |
| 10 | The second secon | | | 42 MoReg 221 |
| | | | | 42 MoReg 222 42 MoReg 318 |
| | | | | 42 MoReg 319 42 MoReg 319 |
| | | | | This Issue |
| | | | | |

Missouri Register

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|--------------------|---|------------------|------------------|-------------|--------------|
| 7 CSR 10-25.020 | Missouri Highways and Transportation Com | mission | 41 MoReg 1668 | | |
| 7 CSR 10-25.030 | Missouri Highways and Transportation Com | | 41 MoReg 1680 | | |
| 7 CSR 10-25.070 | Missouri Highways and Transportation Com | | 41 MoReg 1681 | | |
| 7 CSR 10-25.072 | Missouri Highways and Transportation Com | | 41 MoReg 1682 | | |
| 7 CSR 10-25.080 | Missouri Highways and Transportation Com | | 41 MoReg 1683 | | |
| 7 CSR 10-26.010 | Missouri Highways and Transportation Com | | 42 MoReg 95 | | |
| 7 CSR 10-26.020 | Missouri Highways and Transportation Com | | 42 MoReg 95 | | |
| 7 CSR 60-1.010 | Traffic and Highway Safety Division | | 41 MoReg 1684 | | |
| 7 CSR 60-1.020 | Traffic and Highway Safety Division | | 41 MoReg 1685 | | |
| 7 CSR 60-1.030 | Traffic and Highway Safety Division | | 41 MoReg 1686 | | |
| 7 CSR 60-1.050 | Traffic and Highway Safety Division | | 41 MoReg 1687 | | |
| 7 CSR 60-1.060 | Traffic and Highway Safety Division | | 41 MoReg 1687 | | |
| 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 | | |
| 7 CSR 60-3.010 | Traffic and Highway Safety Division | | 41 MoReg 1721 | | |
| 7 CDIC 00 3.010 | (Changed from 11 CSR 30-3.010) | | 11 10100 1721 | | |
| 7 CSR 265-10.015 | Motor Carrier and Railroad Safety | | 41 MoReg 1700 | | |
| 7 CSR 265-10.017 | Motor Carrier and Railroad Safety | | 41 MoReg 1660 | | |
| | (Changed from 4 CSR 265-2.030) | | | | |
| 7 CSR 265-10.025 | Motor Carrier and Railroad Safety | | 41 MoReg 1701 | | |
| 7 CSR 265-10.051 | Motor Carrier and Railroad Safety | | 41 MoReg 1662 | | |
| | (Changed from 4 CSR 265-2.050) | | 1002 | | |
| 7 CSR 265-10.052 | Motor Carrier and Railroad Safety | | 41 MoReg 1662 | | |
| | (Changed from 4 CSR 265-2.055) | | | | |
| 7 CSR 265-10.055 | Motor Carrier and Railroad Safety | | 41 MoReg 1701R | | |
| 7 CSR 265-10.090 | Motor Carrier and Railroad Safety | | 41 MoReg 1702R | | |
| 7 CSR 265-10.140 | Motor Carrier and Railroad Safety | | 41 MoReg 1702 | | |
| 7 0511 200 101110 | motor currer and rameau surety | | 11 1110100 11102 | | |
| | DEPARTMENT OF LABOR AND INDUS | STRIAL RELATIONS | | | |
| 8 CSR | Department of Labor and Industrial Relation | ıs | | | 41 MoReg 845 |
| | | | | | |
| | DEPARTMENT OF MENTAL HEALTH | | | | |
| 9 CSR | Department of Mental Health | | | | 41 MoReg 845 |
| 9 CSR 10-31.016 | Director, Department of Mental Health | | 41 MoReg 1909 | | |
| 9 CSR 10-31.030 | Director, Department of Mental Health | | 41 MoReg 1910 | | |
| 9 CSR 45-3.080 | Division of Developmental Disabilities | | 42 MoReg 177 | | |
| _ | | | | | |
| | DEPARTMENT OF NATURAL RESOUR | CES | | | |
| 10 CSR | Department of Natural Resources | | | | 41 MoReg 845 |
| 10 CSR 10-6.070 | Air Conservation Commission | | 41 MoReg 1703 | | |
| 10 CSR 10-6.075 | Air Conservation Commission | | 41 MoReg 1709 | | |
| 10 CSR 10-6.080 | Air Conservation Commission | | 41 MoReg 1719 | | |
| 10 CSR 10-6.250 | Air Conservation Commission | | 40 MoReg 1023 | 41 MoReg 37 | |
| 10 CSR 20-8.500 | Clean Water Commission | | 41 MoReg 1070 | This Issue | |
| 10 CSR 26-2.010 | Petroleum and Hazardous Substance Storage | ; | | | |
| | Tanks | | 41 MoReg 1133 | | |
| 10 CSR 26-2.011 | Petroleum and Hazardous Substance Storage | ; | | | |
| | Tanks | | 41 MoReg 1134 | | |
| 10 CSR 26-2.012 | Petroleum and Hazardous Substance Storage | • | | | |
| | Tanks | | 41 MoReg 1135 | | |
| 10 CSR 26-2.013 | Petroleum and Hazardous Substance Storage | • | | | |
| | Tanks | | 41 MoReg 1138 | | |
| 10 CSR 26-2.019 | Petroleum and Hazardous Substance Storage | • | | | |
| | Tanks | | 41 MoReg 1139 | | |
| 10 CSR 26-2.020 | Petroleum and Hazardous Substance Storage | | | | |
| | Tanks | | 41 MoReg 1147 | | |
| 10 CSR 26-2.021 | Petroleum and Hazardous Substance Storage | | | | |
| | Tanks | | 41 MoReg 1150 | | |
| 10 CSR 26-2.022 | Petroleum and Hazardous Substance Storage | • | | | |
| | Tanks | | 41 MoReg 1159 | | |
| 10 CSR 26-2.030 | Petroleum and Hazardous Substance Storage | | | | |
| 10.000.000 | Tanks | | 41 MoReg 1159 | | |
| 10 CSR 26-2.031 | Petroleum and Hazardous Substance Storage | ; | 4365 46 | | |
| 10.000.00 | Tanks | | 41 MoReg 1161 | | |
| 10 CSR 26-2.032 | Petroleum and Hazardous Substance Storage | | 4116 8 | | |
| 10. CCD 24. C 222 | Tanks | | 41 MoReg 1162 | | |
| 10 CSR 26-2.033 | Petroleum and Hazardous Substance Storage | | 41 M D 4465 | | |
| 40. GGD 4 (2 02) | Tanks | | 41 MoReg 1162 | | |
| 10 CSR 26-2.034 | Petroleum and Hazardous Substance Storage | | 41 M D 4461 | | |
| 10. CCD 26. 2.025 | Tanks | | 41 MoReg 1164 | | |
| 10 CSR 26-2.035 | Petroleum and Hazardous Substance Storage | ; | 41 M.D. 4165 | | |
| | Tanks | | 41 MoReg 1165 | | |
| | | | | | |

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|--------------------------------------|--|---------------|--------------------------------|------------------------------|-------------|
| 10 CSR 26-2.036 | Petroleum and Hazardous Substance Storage | | # N. D. #465 | | |
| 10 CSR 26-2.040 | Tanks Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1165 41 MoReg 1166 | | |
| 10 CSR 26-2.041 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1167 | | |
| 10 CSR 26-2.042 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1168 | | |
| 10 CSR 26-2.043 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1169 | | |
| 10 CSR 26-2.044 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1171 | | |
| 10 CSR 26-2.045 | Petroleum and Hazardous Substance Storage Tanks (Changed to 10 CSR 26-2.048) | | 41 MoReg 1172 | | |
| 10 CSR 26-2.046 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1172 41 MoReg 1308 | | |
| 10 CSR 26-2.047 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1173 41 MoReg 1309 | | |
| 10 CSR 26-2.048 | Petroleum and Hazardous Substance Storage Tanks (Changed from 10 CSR 26-2.045) | | 41 MoReg 1172 | | |
| 10 CSR 26-2.050 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1174 | | |
| 10 CSR 26-2.052 | Petroleum and Hazardous Substance Storage Tanks | | 41 MoReg 1174 | | |
| 10 CSR 30-3.010 | Land Survey (Changed to 2 CSR 90-61.010) | | 42 MoReg 22 | | |
| 10 CSR 30-3.020 | Land Survey (Changed to 2 CSR 90-61.020) | | 42 MoReg 23 | | |
| 10 CSR 30-3.030 10 CSR 30-3.040 | Land Survey Land Survey | | 42 MoReg 23R 42 MoReg 23 | | |
| 10 CSR 30-3.050 | (Changed to 2 CSR 90-61.040) Land Survey (Changed to 2 CSR 90-61.050) | | 42 MoReg 24 | | |
| 10 CSR 30-3.060 10 CSR 30-3.070 | Land Survey (Changed to 2 CSR 90-61.070) | | 42 MoReg 24R 42 MoReg 25 | | |
| 10 CSR 30-3.080 | Land Survey (Changed to 2 CSR 90-61.080) | | 42 MoReg 25 | | |
| 10 CSR 30-4.010 | Land Survey (Changed to 2 CSR 90-62.010) | | 42 MoReg 26 | | |
| 10 CSR 30-4.020 | Land Survey (Changed to 2 CSR 90-62.020) | | 42 MoReg 26 | | |
| 10 CSR 30-4.030 | Land Survey (Changed to 2 CSR 90-62.030) | | 42 MoReg 27 | | |
| 10 CSR 30-4.040 | Land Survey (Changed to 2 CSR 90-62.040) | | 42 MoReg 27 | | |
| 10 CSR 30-4.050 | Land Survey (Changed to 2 CSR 90-62.050) | | 42 MoReg 28 | | |
| 10 CSR 30-4.060 | Land Survey (Changed to 2 CSR 90-62.060) | | 42 MoReg 29 | | |
| 10 CSR 30-4.070 | Land Survey | | 42 MoReg 30R | | |
| 11 CSR 30-3.010 | DEPARTMENT OF PUBLIC SAFETY Office of the Director (Changed to 7 CSR 60-3.010) | | 41 MoReg 1721 | | |
| 11 CSR 30-16.010 11 CSR 30-16.020 | Office of the Director Office of the Director | | 42 MoReg 180 42 MoReg 182 | | |
| 11 CSR 45-1.100 | Missouri Gaming Commission | 41 MoReg 1261 | 41 MoReg 1309 | 42 MoReg 272 | |
| 11 CSR 45-3.010 | Missouri Gaming Commission | 41 MoReg 1262 | 41 MoReg 1310 | 42 MoReg 272 | |
| 11 CSR 45-4.020 11 CSR 45-5.053 | Missouri Gaming Commission Missouri Gaming Commission | | 41 MoReg 1543 41 MoReg 1543 | | |
| 11 CSR 45-5.183 | Missouri Gaming Commission Missouri Gaming Commission | | 41 MoReg 1343 41 MoReg 1804 | | |
| 11 CSR 45-5.184 | Missouri Gaming Commission | | 41 MoReg 1804 | | |
| 11 CSR 45-9.104 | Missouri Gaming Commission | | 41 MoReg 1804 | | |
| 11 CSR 45-9.120 | Missouri Gaming Commission | | 41 MoReg 1544 | 42 MoReg 273 | |
| 11 CSR 45-12.090 11 CSR 45-13.054 | Missouri Gaming Commission Missouri Gaming Commission | 41 MoReg 1262 | 41 MoReg 1310 41 MoReg 1311 | 42 MoReg 273 42 MoReg 273 | |
| 11 CSR 45-13.055 | Missouri Gaming Commission | 41 MoReg 1263 | 41 MoReg 1312 | 42 MoReg 273 | |
| 11 CSR 45-13.065 | Missouri Gaming Commission | 41 MoReg 1264 | 41 MoReg 1312 | 42 MoReg 274 | |
| 11 CSR 45-17.030 | Missouri Gaming Commission | 41 MoReg 1265 | 41 MoReg 1313 | 42 MoReg 274 | |
| 11 CSR 45-17.040 | Missouri Gaming Commission | 41 MoReg 1266 | 41 MoReg 1313 | 42 MoReg 274 | |

Missouri Register

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|---|--|---|---|---|--|
| 11 CSR 45-40.010 11 CSR 45-40.020 11 CSR 45-40.030 11 CSR 45-40.040 11 CSR 45-40.050 11 CSR 45-40.050 11 CSR 45-40.070 11 CSR 45-40.070 11 CSR 45-40.090 11 CSR 45-40.090 | Missouri Gaming Commission | 41 MoReg 1267 41 MoReg 1268 41 MoReg 1269 41 MoReg 1270 41 MoReg 1271 41 MoReg 1273 41 MoReg 1274 41 MoReg 1275 41 MoReg 1275 | 41 MoReg 1313 41 MoReg 1314 41 MoReg 1315 41 MoReg 1316 41 MoReg 1316 41 MoReg 1320 41 MoReg 1323 41 MoReg 1323 41 MoReg 1323 | 42 MoReg 275 42 MoReg 275 42 MoReg 276 42 MoReg 277 42 MoReg 277 42 MoReg 278 42 MoReg 279 42 MoReg 280 42 MoReg 280 42 MoReg 280 | |
| 12 CSR 10-41.010 12 CSR 30-4.010 | DEPARTMENT OF REVENUE Director of Revenue State Tax Commission | 41 MoReg 1755 | 41 MoReg 1805 41 MoReg 160 | This Issue | |
| 13 CSR 30-1.010 13 CSR 30-2.020 13 CSR 35-31.050 13 CSR 35-32.010 13 CSR 35-32.050 13 CSR 35-32.060 13 CSR 35-32.070 13 CSR 35-32.080 13 CSR 35-32.080 13 CSR 35-32.090 | DEPARTMENT OF SOCIAL SERVICES Child Support Enforcement Child Support Enforcement Children's Division | | 41 MoReg 1544R 41 MoReg 1544R 41 MoReg 1324 42 MoReg 182R 42 MoReg 183 42 MoReg 185 42 MoReg 187 42 MoReg 195 42 MoReg 203 | 42 MoReg 216 | |
| 13 CSR 35-32, 100 13 CSR 35-32, 110 13 CSR 35-32, 120 13 CSR 35-32, 130 13 CSR 40-1,010 13 CSR 40-15,455 13 CSR 40-19,010 13 CSR 40-19,020 13 CSR 40-19,030 13 CSR 40-19,030 13 CSR 65-3,050 | Children's Division Children's Division Children's Division Children's Division Children's Division Family Support Division Missouri Medicaid Audit and Compliance Un | it | 42 MoReg 206 42 MoReg 206 42 MoReg 207 42 MoReg 208 41 MoReg 1545 41 MoReg 1335R 41 MoReg 1551R 41 MoReg 1551R 41 MoReg 1555R 41 MoReg 15558 41 MoReg 1556 | 42 MoReg 216R | |
| 13 CSR 70-3,030 13 CSR 70-3,240 13 CSR 70-4,090 13 CSR 70-10,016 13 CSR 70-10,030 13 CSR 70-15,220 | MO HealthNet Division | 41 MoReg 1054 41 MoReg 1127 | 41 MoReg 1557 41 MoReg 1558 41 MoReg 1468 41 MoReg 1175 42 MoReg 209 | This Issue 42 MoReg 216 | |
| 15 CSR 30-70.010 15 CSR 30-70.020 15 CSR 30-70.030 15 CSR 30-110.010 | Secretary of State | 41 MoReg 1463 41 MoReg 1463 41 MoReg 1464 42 MoReg 155 42 MoReg 255 | 41 MoReg 1472 41 MoReg 1472 41 MoReg 1472 42 MoReg 211 | 42 MoReg 281 42 MoReg 281 42 MoReg 281 | |
| 15 CSR 30-110.020 15 CSR 40-1.010 | Secretary of State State Auditor | 42 MoReg 156 42 MoReg 256 | 42 MoReg 211 42 MoReg 212 | | |
| 19 CSR 15-8.410 19 CSR 30-1.002 19 CSR 60-50 | DEPARTMENT OF HEALTH AND SENIO Division of Senior and Disability Services Division of Regulation and Licensure Missouri Health Facilities Review Committee | | 40 MoReg 131 41 MoReg 1563 | | 42 MoReg 223 42 MoReg 320 This Issue |
| 20 CGB | DEPARTMENT OF INSURANCE, FINAN | CIAL INSTITUTION | S AND PROFESSION | NAL REGISTRATION | This Issue |
| 20 CSR 20 CSR 20 CSR | Applied Behavior Analysis Maximum Benefit Construction Claims Binding Arbitration Cap Sovereign Immunity Limits | | | | 42 MoReg 321 41 MoReg 1925 41 MoReg 1925 |
| 20 CSR 20 CSR 400-5.100 20 CSR 400-5.400 20 CSR 400-5.410 20 CSR 400-5.800 20 CSR 400-5.900 20 CSR 400-13.100 20 CSR 400-13.100 20 CSR 700-1.145 20 CSR 700-1.146 20 CSR 700-1.147 20 CSR 700-1.148 20 CSR 700-1.170 20 CSR 2015-1.030 20 CSR 2030-16.010 | State Legal Expense Fund Cap Life, Annuities and Health Insurance Licensing Acupuncturist Advisory Committee Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | 41 MoReg 1280 42 MoReg 156 | 41 MoReg 1574 41 MoReg 1579 41 MoReg 1595R 41 MoReg 1595 41 MoReg 1619 41 MoReg 1619 41 MoReg 1621 41 MoReg 1622 41 MoReg 1624 41 MoReg 1627R 41 MoReg 1343 | 42 MoReg 282 42 MoReg 282 42 MoReg 282 42 MoReg 283 42 MoReg 283 42 MoReg 284W 42 MoReg 285 42 MoReg 285 42 MoReg 285 42 MoReg 285 42 MoReg 217 | 41 MoReg 1925 |
| 20 CSR 2030-16.020 | Professional Landscape Architects | | 42 MoReg 30 | | |
| 70 CCD 3030 17 030 | Professional Landscape Architects | | 42 MoReg 31R 42 MoReg 31 | | |
| 20 CSR 2030-16.030 20 CSR 2030-16.040 | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 32R 42 MoReg 32 | | |
| 25 551 2550 10.040 | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 33R 42 MoReg 34 | | |

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|--------------------|--|---------------|-----------------------------|--------------|-------------|
| 20 CSR 2030-16.050 | Missouri Board for Architects, Professional | | | | |
| | Engineers, Professional Land Surveyors, and | | 42 MaDag 24D | | |
| | Professional Landscape Architects | | 42 MoReg 34R 42 MoReg 35 | | |
| 20 CSR 2030-16.060 | | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 35R | | |
| | | | 42 MoReg 35 | | |
| 20 CSR 2030-16.070 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 36R | | |
| 20 CSR 2030-16.080 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 36R | | |
| 20 CSR 2030-16.090 | Missouri Board for Architects, Professional | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 37R | | |
| 20 CSR 2030-16.100 | Missouri Board for Architects, Professional | | 12 Workey 5710 | | |
| | Engineers, Professional Land Surveyors, and | | 42 MaDag 27D | | |
| 20 CSR 2030-16.110 | Professional Landscape Architects Missouri Board for Architects, Professional | | 42 MoReg 37R | | |
| | Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 37R 42 MoReg 38 | | |
| 20 CSR 2030-17.010 | Missouri Board for Architects, Professional | | 42 Workeg 36 | | |
| | Engineers, Professional Land Surveyors, and | | 42.14.P. 20 | | |
| 20 CSR 2030-17.020 | Professional Landscape Architects Missouri Board for Architects, Professional | | 42 MoReg 38 | | |
| 20 CSR 2030 17.020 | Engineers, Professional Land Surveyors, and | | | | |
| 20 CSR 2030-17.030 | Professional Landscape Architects | | 42 MoReg 38 | | |
| 20 CSR 2030-17.030 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 39R | | |
| 20 CSR 2030-17.040 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 39 | | |
| 20 CSR 2030-17.050 | Missouri Board for Architects, Professional | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 40 | | |
| 20 CSR 2030-17.060 | Missouri Board for Architects, Professional | | 42 Moleg 40 | | |
| | Engineers, Professional Land Surveyors, and | | 42 MaDag 40D | | |
| 20 CSR 2030-17.070 | Professional Landscape Architects Missouri Board for Architects, Professional | | 42 MoReg 40R | | |
| | Engineers, Professional Land Surveyors, and | | | | |
| 20 CSR 2030-17.080 | Professional Landscape Architects Missouri Board for Architects, Professional | | 42 MoReg 41 | | |
| 20 CSR 2030-17.000 | Engineers, Professional Land Surveyors, and | | | | |
| 20 CCD 2020 19 010 | Professional Landscape Architects | | 42 MoReg 41 | | |
| 20 CSR 2030-18.010 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 42 | | |
| 20 CSR 2030-18.020 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 42 | | |
| 20 CSR 2030-18.030 | | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 43 | | |
| 20 CSR 2030-18.040 | Missouri Board for Architects, Professional | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 43 | | |
| 20 CSR 2030-18.050 | Missouri Board for Architects, Professional | | 42 Mokeg 45 | | |
| | Engineers, Professional Land Surveyors, and | | 12.14.75 | | |
| 20 CSR 2030-18.060 | Professional Landscape Architects Missouri Board for Architects, Professional | | 42 MoReg 44 | | |
| 20 CSR 2030-10.000 | Engineers, Professional Land Surveyors, and | | | | |
| 20 CCD 2020 10 070 | Professional Landscape Architects | | 42 MoReg 45 | | |
| 20 CSR 2030-18.070 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and | | | | |
| | Professional Landscape Architects | | 42 MoReg 46R | | |
| 20 CSR 2030-19.010 | Missouri Board for Architects, Professional | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 41 MoReg 1808 | This Issue | |
| 20 CSR 2030-19.020 | Missouri Board for Architects, Professional | | | | |
| | Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 42 MoReg 46 | | |
| 20 CSR 2030-20.030 | Missouri Board for Architects, Professional | | TE MONEY TO | | |
| | Engineers, Professional Land Surveyors, and | | 41 MaDay 1000 | This Issue | |
| 20 CSR 2070-2.090 | Professional Landscape Architects State Board of Chiropractic Examiners | 41 MoReg 1525 | 41 MoReg 1808 | This Issue | |
| 20 CSR 2085-3.010 | Board of Cosmetology and Barber Examiners | | 41 MoReg 1809 | This Issue | |
| 20 CSR 2095-1.020 | Committee for Professional Counselors | | 41 MoReg 1722 | 42 MoReg 317 | |
| | | | | | |

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|-------------------|--------------------------------------|----------------|----------------|---------------|-------------|
| 20 CSR 2120-2.100 | State Board of Embalmers and Funeral | | | | |
| | Directors | 41 MoReg 373 | 41 MoReg 1911 | | |
| 20 CSR 2197-1.040 | Board of Therapeutic Massage | 41 MoReg 825 | | | |
| 20 CSR 2200-7.001 | State Board of Nursing | | 42 MoReg 48 | | |
| 20 CSR 2200-7.010 | State Board of Nursing | | 42 MoReg 21 | | |
| | (Changed from 6 CSR 10-11.010) | | - | | |
| 20 CSR 2220-2.095 | State Board of Pharmacy | | 41 MoReg 1376 | 42 MoReg 219 | |
| 20 CSR 2230-2.070 | State Board of Podiatric Medicine | 40 MoReg 1875 | | | |
| 20 CSR 2270-1.021 | Missouri Veterinary Medical Board | | 42 MoReg 95 | | |
| | MISSOURI CONSOLIDATED HEALTH | CARE PLAN | | | |
| 22 CSR 10-2.010 | Health Care Plan | 41 MoReg 1755 | 41 MoReg 1816 | | |
| 22 CSR 10-2.020 | Health Care Plan | 41 MoReg 1758 | 41 MoReg 1818 | | |
| 22 CSR 10-2.025 | Health Care Plan | | 41 MoReg 1819 | | |
| 22 CSR 10-2.030 | Health Care Plan | 41 MoReg 1759 | 41 MoReg 1820 | | |
| 22 CSR 10-2.051 | Health Care Plan | 41 MoReg 1760 | 41 MoReg 1820 | | |
| 22 CSR 10-2.052 | Health Care Plan | 41 MoReg 1760 | 41 MoReg 1821 | | |
| 22 CSR 10-2.053 | Health Care Plan | 41 MoReg 1761 | 41 MoReg 1821 | | |
| 22 CSR 10-2.055 | Health Care Plan | 41 MoReg 1763 | 41 MoReg 1823 | | |
| 22 CSR 10-2.060 | Health Care Plan | 41 MoReg 1772 | 41 MoReg 1831 | | |
| 22 CSR 10-2.089 | Health Care Plan | 41 MoReg 1773 | 41 MoReg 1833 | | |
| 22 CSR 10-2.090 | Health Care Plan | 41 MoReg 1774 | 41 MoReg 1834 | | |
| 22 CSR 10-2.094 | Health Care Plan | 41 MoReg 1296R | 41 MoReg 1380R | 42 MoReg 285R | |
| | | 41 MoReg 1296 | 41 MoReg 1380 | 42 MoReg 286 | |
| 22 CSR 10-2.110 | Health Care Plan | 41 MoReg 1776 | 41 MoReg 1836 | <u>S</u> | |
| 22 CSR 10-2.120 | Health Care Plan | 41 MoReg 1297R | 41 MoReg 1381R | 42 MoReg 286R | |
| | | 41 MoReg 1298 | 41 MoReg 1382 | 42 MoReg 286 | |
| 22 CSR 10-2.150 | Health Care Plan | 41 MoReg 1777R | 41 MoReg 1836R | | |
| 22 CSR 10-3.010 | Health Care Plan | 41 MoReg 1778 | 41 MoReg 1837 | | |
| 22 CSR 10-3.020 | Health Care Plan | 41 MoReg 1780 | 41 MoReg 1839 | | |
| 22 CSR 10-3.053 | Health Care Plan | 41 MoReg 1781 | 41 MoReg 1839 | | |
| 22 CSR 10-3.055 | Health Care Plan | 41 MoReg 1781 | 41 MoReg 1840 | | |
| 22 CSR 10-3.056 | Health Care Plan | 41 MoReg 1782 | 41 MoReg 1841 | | |
| 22 CSR 10-3.057 | Health Care Plan | 41 MoReg 1783 | 41 MoReg 1841 | | |
| 22 CSR 10-3.060 | Health Care Plan | 41 MoReg 1792 | 41 MoReg 1851 | | |
| 22 CSR 10-3.090 | Health Care Plan | 41 MoReg 1794 | 41 MoReg 1852 | | |
| 22 CSR 10-3.150 | Health Care Plan | 41 MoReg 1796R | 41 MoReg 1854R | | |

| Missouri | |
|----------|--|
| REGISTER | |

Emergency Rule Table

March 15, 2017 Vol. 42, No. 6

| Agency |] | Publication | Effective | Expiration |
|---|--|-----------------|--------------------------------|----------------|
| | onomic Development | | | |
| Division of Energy 4 CSR 340-4.010 | Wood Energy Credit | 1 MoReg 1895 | Nov. 24, 2016 | May 22, 2017 |
| Department of Re | | | | |
| Director of Revenue 12 CSR 10-41.010 | Annual Adjusted Rate of Interest | 1 MoReg 1755 | Jan. 1, 2017 . | June 29, 2017 |
| Elected Officials | | | | |
| Secretary of State 15 CSR 30-70.010 | Definitions | 1 MoReg 1463 | Sept. 19, 2016 | March 17, 2017 |
| 15 CSR 30-70.020 | Application Assistant Training, Registration and Renewal4 | | | |
| 15 CSR 30-70.030 15 CSR 30-110.010 | Program Participant Application and Certification Process .4 Electronic Notary Definitions | | | |
| 15 CSR 30-110.020 | | | | |
| Department of Ins | surance, Financial Institutions and Professional Regist | tration | | |
| State Board of Chir | opractic Examiners | | | |
| 20 CSR 2070-2.090 | Fees | 1 MoReg 1525 | Sept. 26, 2016 | April 3, 2017 |
| Acupuncturist Advis | | | | |
| 20 CSR 2015-1.030 | Fees | 2 MoReg 156. | Jan. 13, 2017 | July 11, 2017 |
| Missouri Consolid Health Care Plan | lated Health Care Plan | | | |
| 22 CSR 10-2.010 | Definitions | | | |
| 22 CSR 10-2.020 22 CSR 10-2.030 | General Membership Provisions | | | |
| 22 CSR 10-2.050 22 CSR 10-2.051 | Contributions | | | |
| 22 CSR 10-2.052 | PPO 600 Plan Benefit Provisions and Covered Charges 4 | | | |
| 22 CSR 10-2.053 | Health Savings Account Plan Benefit Provisions | 1 MaDag 1761 | Ion 1 2017 | June 20, 2017 |
| 22 CSR 10-2.055 | and Covered Charges | | | |
| 22 CSR 10-2.060 | PPO 300 Plan, PPO 600 Plan, and Health Savings | C | | |
| 22 CSR 10-2.089 | Account Plan Limitations | 1 Mokeg 1772. | Jan. 1, 2017 . | June 29, 2017 |
| | Primary Members | | | |
| 22 CSR 10-2.090 | Pharmacy Benefit Summary | | | |
| 22 CSR 10-2.094 22 CSR 10-2.094 | Tobacco-Free Incentive Provisions and Limitations (Res)4 Tobacco-Free Incentive Provisions and Limitations4 | | | |
| 22 CSR 10-2.094 22 CSR 10-2.110 | General Foster Parent Membership Provisions | 1 MoReg 1276 | Jan. 1, 2017 | June 29, 2017 |
| 22 CSR 10-2.120 | Partnership Incentive Provisions and Limitations (Res) | | | |
| 22 CSR 10-2.120 | Partnership Incentive Provisions and Limitations | | | |
| 22 CSR 10-2.150 | Disease Management Services Provisions and | 1 MaDaa 1777 | In 1 2017 | Luna 20, 2017 |
| 22 CSR 10-3.010 | Limitations (Res) | | | |
| 22 CSR 10-3.020 | General Membership Provisions | | | |
| 22 CSR 10-3.053 | PPO 1000 Plan Benefit Provisions and Covered Charges4 | | | |
| 22 CSR 10-3.055 | Health Savings Account Plan Benefit Provisions | _ | | |
| 22 CSD 10-3 056 | and Covered Charges | 1 MoReg 1/81 . | Jan. 1, 2017 . Jan. 1, 2017 | June 29, 2017 |
| 22 CSR 10-3.056 22 CSR 10-3.057 | Medical Plan Benefit Provisions and Covered Charges 4 | | | |
| 22 CSR 10-3.057 22 CSR 10-3.060 | PPO 600 Plan, PPO 1000 Plan, and Health Savings | 1 11101005 1703 | | |
| | Account Plan Limitations | 1 MoReg 1792 . | Jan. 1, 2017 . | June 29, 2017 |
| 22 CSR 10-3.090 | Pharmacy Benefit Summary | | | |
| 22 CSR 10-3.150 | Disease Management Services Provisions and | 1365 | • • • • • • | * ** |
| | Limitations (Res) | 1 MoReg 1796. | Jan. 1, 2017 | June 29, 2017 |

| Executive | | | |
|-----------|---|-------------------|--------------------|
| Orders | Subject Matter | Filed Date | Publication |
| | 2017 | | |
| 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 | | 12.37.7. 26.1 |
| | governor and serve as a member of the governor's executive team. | January 11, 2017 | 42 MoReg 264 |
| 17-03 | Orders every state agency to immediately suspend all rulemaking until Feb. | | |
| | 28, 2017, and to complete a review of every regulation under its jurisdiction | * 40.004 | 10.31 5 001 |
| 17.02 | within the Code of State Regulations 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 | 1 0 2017 | 40 M D 050 |
| 17.01 | 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 | January 6, 2017 | 42 MaDag 257 |
| | Missouri State Park Advisory Board. | January 6, 2017 | 42 MoReg 257 |
| | 2016 | | |
| 16-10 | Reauthorizes the Governor's Committee to End Chronic Homelessness | | |
| 10-10 | until December 31, 2020. | December 30, 2016 | 42 MoReg 159 |
| 16-09 | Advises that state offices in Cole County will be closed on Monday | December 50, 2010 | 12 Workey 137 |
| 10 0) | 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 | | 44.34.75.004 |
| 1604 | 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 | Annil 11 2016 | 41 MaDag 659 |
| 16-03 | history would render an applicant ineligible for the position. Extends Executive Orders 15-10, 15-11, and 16-02 until February 22, | April 11, 2016 | 41 MoReg 658 |
| 10-03 | 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 | Jan. 22, 2010 | 71 WIONES 233 |
| 10 02 | 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 | 0, 2010 | |
| · | certain departments, divisions, and agencies. | Jan. 4, 2016 | 41 MoReg 153 |
| | I | , , | |

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

ACUPUNCTURIST ADVISORY COMMITTEE horizontal control classification; 2 CSR 90-62.020; 1/3/17 fees; 20 CSR 2015-1.030; 2/1/17 location of improvements and easements; 2 CSR 90-60.070; 1/3/17 ADMINISTRATION, OFFICE OF map accuracy standards; 2 CSR 90-64.020; 1/3/17 Missouri coordinate system of 1983; 2 CSR 90-61.070; 1/3/17 answers and other responsive pleadings; 1 CSR 15-3.380; 11/1/16, monumentation; 2 CSR 90-61.050; 1/3/17 certification of records; 1 CSR 15-3.580; 11/1/16, 2/15/17 organization and description; 2 CSR 90-65.020; 1/3/17 procedure for filing documents; 2 CSR 90-61.040; 1/3/17 required work order form; 2 CSR 90-63.020; 1/3/17 closing of case records and hearings; 1 CSR 15-3.410; 11/1/16, 2/15/17 surveyor's real property report; 2 CSR 90-63.010; 1/3/17 traverse survey guidelines; 2 CSR 90-62.060; 1/3/17 use of Missouri coordinate system of 1983; 2 CSR 90-60.050; complaints; 1 CSR 15-3.350; 11/1/16, 2/15/17 decision on the complaint without a hearing; 1 CSR 15-3.446; 11/1/16, 2/15/17 definition of terms; 1 CSR 20-5.015; 11/1/16 definitions; 1 CSR 15-3.210; 11/1/16, 2/15/17 discovery; 1 CSR 15-3.420; 11/1/16, 2/15/17 AIR CONSERVATION COMMISSION emission standard for hazardous air pollutants; 10 CSR 10-6.080; fees and expenses; 1 CSR 15-3.560; 11/1/16, 2/15/17 filing of documents; 1 CSR 15-3.290; 11/1/16, 2/15/17 intervention; 1 CSR 15-3.390; 11/1/16, 2/15/17 leaves of absence; 1 CSR 20-5.020; 11/1/16 11/15/16 maximum achievable control technology regulations; 10 CSR 10-6.075; 11/15/16 new source performance regulations; 10 CSR 10-6.070; 11/15/16 practice by a licensed attorney; when required; 1 CSR 15-3.250; 11/1/16, 2/15/17 sanctions; 1 CSR 15-3.425; 11/1/16, 2/15/17 ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESservice of filings other than the original complaint; 1 CSR 15-SIONAL LAND SURVEYORS, AND PROFESSIONAL LAND-3.270; 11/1/16, 2/15/17 SCAPE ARCHITECTS, MISSOURI BOARD FOR acceptance and publication by Missouri Department of Agriculture; state official's salary compensation schedule; 1 CSR 10; 10/17/16 state of Missouri–Social Security manual; 1 CSR 10-12.011; 20 CSR 2030-18.040; 1/3/17 accuracy of horizontal control; 20 CSR 2030-18.030; 1/3/17 11/1/16, 2/15/17 stay of action under review; 1 CSR 15-3.320; 11/1/16, 2/15/17 subject matter; 1 CSR 15-3.200; 11/1/16, 2/15/17 accuracy standards for property boundary surveys; 20 CSR 2030-16.040; 1/3/17 application of schedule; 20 CSR 2030-16.010; 1/3/17 approved documents; 20 CSR 2030-17.080; 1/3/17 approved monumentation; 20 CSR 2030-16.060; 1/3/17 voluntary dismissal, settlement, and consent orders; 1 CSR 15-3.431; 11/1/16, 2/15/17 authorization for removal or alteration of corners; 20 CSR 2030-AGRICULTURE, DEPARTMENT OF 17.020; 1/3/17 animal health certificate of the map; 20 CSR 2030-20.030; 12/1/16, 3/15/17 inspection of meat and poultry; 2 CSR 30-10.010; 11/16/15, 20 CSR 2030-16.020; 1/3/17 20 CSR 2030-17.010; 1/3/17 Missouri agricultural and small business development authority Missouri dairy scholars program; 2 CSR 100-11.020; 5/2/16, 20 CSR 2030-18.010; 1/3/17 8/15/16 detail requirements for condominium surveys; 20 CSR 2030weights, measures, and consumer protection acceptance and publication by Missouri Department of Agriculture; 2 CSR 90-62.040; 1/3/17 accuracy standard; 2 CSR 90-65.070; 1/3/17 16.100; 1/3/17 detail requirements for original surveys; 20 CSR 2030-16.080; 1/3/17 detail requirements for resurveys; 20 CSR 2030-16.070; 1/3/17 accuracy of horizontal controls; 2 CSR 90-62.030; 1/3/17 detail requirements for subdivision surveys; 20 CSR 2030-16.090; accuracy standards for property boundary surveys; 2 CSR 90-60.040; 1/3/17 general land surveying requirements; 20 CSR 2030-16.030; 1/3/17 GPS survey guidelines; 20 CSR 2030-18.050; 1/3/17 application of standards 2 CSR 90-60.010; 1/3/17 2 CSR 90-65.010; 1/3/17 approved documents; 2 CSR 90-61.080; 1/3/17 horizontal control classifications: 20 CSR 2030-18.020: 1/3/17 location of improvements and easements; 20 CSR 2030-16.110; approved monumentation; 2 CSR 90-60.060; 1/3/17 1/3/17Missouri coordinate system of 1983; 20 CSR 2030-17.070; 1/3/17 monumentation; 20 CSR 2030-17.050; 1/3/17 authorization for removal or alteration of corners; 2 CSR 90-61.020; 1/3/17 monument marking; 20 CSR 2030-17.060; 1/3/17 procedure for filing documents; 20 CSR 2030-17.040; 1/3/17 certification of the map; 2 CSR 90-64.030; 1/3/17 coordinate system for digital cadastral parcel mapping specified; 2 CSR 90-65.040; 1/3/17 reestablished or restored corners; 20 CSR 2030-17.030; 1/3/17 required work order form; 20 CSR 2030-19.020; 1/3/17 surveyor's real property report; 20 CSR 2030-19.010; 12/1/16, definitions 2 CSR 90-60.020; 1/3/17 2 CSR 90-61.010; 1/3/17 3/15/17 2 CSR 90-62.010; 1/3/17 traverse survey guidelines; 20 CSR 2030-18.060; 1/3/17 2 CSR 90-64.010; 1/3/17 2 CSR 90-65.030; 1/3/17 use of Missouri coordinate system of 1983; 20 CSR 2030-16.050; 1/3/17 digital cadastral parcel mapping requirements pertaining to land parcels; 2 CSR 90-65.060; 1/3/17 use of Missouri coordinate system, 1983; 20 CSR 2030-16.050; 1/3/17 digital cadastral parcel mapping requirements pertaining to the waiver of 1 KM limitation; 20 CSR 2030-18.070; 1/3/17 United States public land survey system; 2 CSR 90-65.050; 1/3/17 **AUDITOR, STATE** function and organization of auditor's office; 15 CSR 40-1.010; disclaimer; 2 CSR 90-65.080; 1/3/17 general land surveying requirements; 2 CSR 90-60.030;

CERTIFICATE OF NEED PROGRAM

application review schedule; 19 CSR 60-50; 2/1/17, 3/1/17, 3/15/17

1/3/17

general organization; 2 CSR 90-1.010; 1/3/17

GPS survey guidelines; 2 CSR 90-62.050; 1/3/17

CHILDREN'S DIVISION

basis of payment; 13 CSR 35-32.010; 2/1/17 child care provider overpayments; 13 CSR 35-32.110; 2/1/17 consent to termination of parental rights and/or adoption; 13 CSR 35-31.050; 10/3/16, 2/1/17

definitions; 13 CSR 35-32.050; 2/1/17

eligibility and authorization for child care subsidy; 13 CSR 35-32.060; 2/1/17

participant overpayments; 13 CSR 35-32.100; 2/1/17 recordkeeping; 13 CSR 35-32.130; 2/1/17

registration requirements for child care facilities that are license exempt; 13 CSR 35-32.080; 2/1/17

registration requirements for child care providers serving four or less unrelated children; 13 CSR 35-32.070; 2/1/17

regulatory and contractual violations of registered child care providers; 13 CSR 35-32.120; 2/1/17 requirements for licensed child care facilities to contract for state or

federal child care funds; 13 CSR 35-32.090; 2/1/17

screening and classification of child abuse/neglect hotline reports 13 CSR 35-20.010; 10/3/16

13 CSR 35-31.020; 10/3/16

CHILD SUPPORT ENFORCEMENT

financial performance measures for counties under contract with the Missouri Division of Child Support Enforcement for the provisions of total control child support services in local jurisdictions (Level A counties); 13 CSR 30-2.020; 11/1/16

organization and operation; 13 CSR 30-1.010; 11/1/16

CHIROPRACTIC EXAMINERS, STATE BOARD OF

fees; 20 CSR 2070-2.090; 11/1/16

CLEAN WATER COMMISSION

design requirements for agrichemical facilities; 10 CSR 20-8.500; 9/1/16, 3/15/17

CONSERVATION, DEPARTMENT OF

black bass; 3 CSR 10-6.505; 10/3/16, 2/1/17 bullfrogs and green frogs; 3 CSR 10-12.115; 10/3/16, 1/17/17 closings; 3 CSR 10-11.115; 10/3/16, 1/17/17 dove hunting; 3 CSR 10-11.185; 10/3/16, 1/17/17 fishing

length limits

3 CSR 10-11.215; 10/3/16, 2/1/17

3 CSR 10-12.145; 10/3/16

methods and hours' 3 CSR 10-11.205; 10/3/16, 1/17/17 general provisions; applications; 3 CSR 10-9.110; 10/3/16, 1/17/17 google-eye (Ozark bass, rock bass, and shadow bass) and warmouth; 3 CSR 10-6.530; 10/3/16, 2/1/17

endangered species; 3 CSR 10-4.111; 10/3/16, 1/17/17

permits to be signed and carried; 3 CSR 10-5.210; 10/3/16, 2/1/17 record keeping and reporting required: commercial fisherman; 3 CSR 10-10.727; 10/3/16, 1/17/17

resident falconry permit; 3 CSR 10-9.440; 10/3/16, 1/17/17 turkey: seasons, methods, limits; 3 CSR 10-7.455; 2/1/17 use of boats and motors; 3 CSR 10-12.110; 10/3/16, 1/17/17

CORRECTIONS, DEPARTMENT OF

probation and parole, state board of

parole eligibility, hearings, reviews and release dates; 14 CSR 80-2.010; 10/3/16, 1/17/17

parole policy guidelines; 14 CSR 80-2.020; 10/3/16, 1/17/17

COSMETOLOGY AND BARBER EXAMINERS, BOARD OF

fees; 20 CSR 2085-3.010; 12/1/16, 3/15/17

COUNSELORS, COMMITTEE FOR PROFESSIONAL

fees; 20 CSR 2095-1.020; 11/15/16, 3/1/17

DENTAL BOARD, MISSOURI

licensure by examination

dental hygienists; 20 CSR 2110-2.050; 10/3/16, 1/17/17 dentists; 20 CSR 2110-2.010; 10/3/16, 1/17/17

ECONOMIC DEVELOPMENT, DEPARTMENT OF

motor carrier and railroad safety, division of

application for approval of corporation to acquire capitol stock of common carrier incorporated under Missouri law pursuant to requirements of section 387.260, RSMo; 4 CSR 265-2.069; 11/15/16

applications for interstate motor carrier permits and intrastate regular route passenger certificates issued pursuant to 49 U.S.C. Section 10922(c)(2); 4 CSR 265-2.065;

application to issue or create certain debt instruments; 4 CSR 265-2.067; 11/15/16

computation of effective dates; 4 CSR 265-2.050; 11/15/16 hearings under rulemaking; 4 CSR 265-2.170; 11/15/16interpretation of federal preemption under Section 601 of the

Federal Aviation Administration Authorization Act of 1994; 4 CSR 265-2.057; 11/15/16

motor carrier notice register publications, scope and subscription orders; 4 CSR 265-2.200; 11/15/16

name and address changes for motor carriers; 4 CSR 265-2.055; 11/15/16

practice of attorneys; 4 CSR 265-2.040; 11/15/16 principal offices; 4 CSR 265-2.020; 11/15/16 records of the division; 4 CSR 265-2.030; 11/15/16 rulemaking; 4 CSR 265-2.160; 11/15/16

transportation enforcement inspector I; 4 CSR 265-14.010;

utilization of motor carriers in national emergencies; 4 CSR 265-6.030; 11/15/16

ELEMENTARY AND SECONDARY EDUCATION, DEPART-

beginning teacher assistance program; 5 CSR 20-400.385; 12/1/16 certification requirements for initial student services certificate; 5 CSR 20-400.060; 11/1/16

charter school expedited renewal application process; 5 CSR 20-100.280; 1/17/17

charter school expedited replication and expansion application process; 5 CSR 20-100.290; 1/17/17

minimum requirements for school bus chassis and body; 5 CSR 30-261.025; 12/15/16

standards for charter sponsorship; 5 CSR 20-100.260; 1/17/17

EMBALMERS AND FUNERAL DIRECTORS, STATE BOARD

fees; 20 CSR 2120-2.100; 3/15/16, 12/15/16

ENERGY, DIVISION OF

definitions and general provisions-membership; 4 CSR 340-6.010; 12/15/16

energy set-aside fund; 4 CSR 340-2; 3/15/16 wood energy credit; 4 CSR 340-4.010; 12/15/16

EXECUTIVE ORDERS

activates the Missouri State Emergency Operation Center due to severe weather expected to begin on Jan. 12, 2017; 17-05;

advises that state offices in Cole County will be closed on Monday, January 9, 2017; 16-09; 2/1/17

establishes the Governor's Committee for Simple, Fair, and Low taxes to recommend proposed reforms to the governor by June 30, 2017; 17-07; 3/1/17

establishes the position of Chief Operating Officer to report directly to the governor and serve as a member of the governor's executive team; 17-04; 2/15/17

orders every state agency to immediately suspend all rulemaking until Feb. 28, 2017, and to complete a review of every regulation under its jurisdiction within the Code of State Regulations by May 31, 2018; 17-03; 2/15/17

orders state employees of the executive branch of Missouri state government to follow a specified code of conduct regarding ethics during the Greitens administration; 17-02; 2/15/17

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; 17-06; 2/15/17 reauthorizes the Governor's Committee to End Chronic

Homelessness until December 31, 2020; 16-10; 2/1/17 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; 17-01; 2/15/17

FAMILY SUPPORT DIVISION

eligibility for individuals with a drug felony conviction; 13 CSR 40-15.455; 11/1/16

low income home energy assistance program (LIHEAP) and utilicare; 13 CSR 40-19.020; 11/1/16 organization; 13 CSR 40-1.010; 11/1/16

resource eligibility standards for Title XIX under the poverty level; 13 CSR 40-2.250; 10/3/16, 2/1/17 summer electric utility service; 13 CSR 40-19.030; 11/1/16

utilicare program; 13 CSR 40-19.010; 11/1/16

GAMING COMMISSION, MISSOURI

application and verification procedures for granting credit; 11 CSR 45-8.140; 9/1/16, 1/3/17

application for a class A or class B license; 11 CSR 45-4.030; 10/1/15, 2/16/16

bingo

approval of bingo paraphernalia; 11 CSR 45-30.540; 8/1/16, 1/3/17

bingo hearings; 11 CSR 45-13.051; 8/1/16, 1/3/17 electronic bingo cared monitoring devices; 11 CSR 45-30.600; 8/1/16, 1/3/17

key person defined; 11 CSR 45-30.056; 8/1/16, 1/3/17 net receipts from bingo and bank account; 11 CSR 45-30.280; 8/1/16, 1/3/17

organization (operator) record keeping requirements; 11 CSR

45-30.175; 8/1/16, 1/3/17 wireless technology; 11 CSR 45-30.610; 8/1/16, 1/3/17 commission records; 11 CSR 45-3.010; 10/3/16, 2/15/17 confidentiality of list of disassociated persons; Il CSR 45-17.040; 10/3/16, 2/15/17

fantasy sports contests

applications for fantasy sports contest operator license; 11 CSR 45-40.020; 10/3/16, 2/15/17

audits; 11 CSR 45-40.100; 10/3/16, 2/15/17

cash reserve and segregated account requirements; 11 CSR 45-40.060; 10/3/16, 2/15/17

commission approval of procedures; 11 CSR 45-40.030; 10/3/16, 2/15/17

definitions; 11 CSR 45-40.010; 10/3/16, 2/15/17

operational fees; 11 CSR 45-40.070; 10/3/16, 2/15/17 operational requirements for operators; 11 CSR 45-40.050; 10/3/16, 2/15/17

operator responsibilities; 11 CSR 45-40.040; 10/3/16, 2/15/17 records and record retention; 11 CSR 45-40.090; 10/3/16, 2/15/17

hearings

emergency order suspending license privileges-expedited hearing; 11 CSR 45-13.055; 10/3/16, 2/15/17 fantasy sports contest hearings; 11 CSR 45-13.054; 10/3/16,

2/15/17 settlements; 11 CSR 45-13.065; 10/3/16, 2/15/17

licenses, restrictions on licenses, licensing authority of the executive director, and other definitions; 11 CSR 45-4.020:

minimum internal control standards (MICS)-Chapter D; 11 CSR 45-9.104; 12/1/16

minimum internal control standards (MICS)-Chapter H; 11 CSR 45-9.108; 9/1/16, 1/3/17

minimum internal control standards (MICS)-Chapter T; 11 CSR 45-9.120; 11/1/16

policies; 11 CSR 45-5.053; 11/1/16

procedure for entry of names onto list of disassociated persons; 11

CSR 45-17.030; 10/3/16, 2/15/17 rules of liquor control; 11 CSR 45-12.090; 10/3/16, 2/15/17 table game and poker cards; 11 CSR 45-5.183; 12/1/16

table game cards-receipt, storage, inspections, and removal from use; 11 CSR 45-5.184; 12/1/16

waivers and variances; 11 CSR 45-1.100; 10/3/16, 2/15/17

HEALING ARTS, STATE BOARD OF REGISTRATION FOR THE

fees

20 CSR 2150-2.080; 10/3/16, 1/17/17

20 CSR 2150-3.080; 10/3/16, 1/17/17

20 CSR 2150-4.060; 10/3/16, 1/17/17

20 CSR 2150-6.050; 10/3/16, 1/17/17

20 CSR 2150-7.200; 10/3/16, 1/17/17

20 CSR 2150-8.060; 10/3/16, 1/17/17

20 CSR 2150-9.080; 10/3/16, 1/17/17

anesthesiologist assistant licensure fees; 20 CSR 2150-9.080; 10/3/16, 1/17/17

athletic trainer licensure fees; 20 CSR 2150-6.050; 10/3/16, 1/17/17

clinical perfusionists licensure fees; 20 CSR 2150-8.060; 10/3/16, 1/17/17

physical therapist assistant licensure fees; 20 CSR 2150-3.170; 10/3/16, 1/17/17

physical therapists licensure fees; 20 CSR 2150-3.080; 10/3/16, 1/17/17

physician assistant licensure fees; 20 CSR 2150-7.200; 10/3/16, 1/17/17

physician licensure fees; 20 CSR 2150-2.080; 10/3/16, 1/17/17

speech-language pathology and audiology licensure fees; 20 CSR 2150-4.060; 10/3/16, 1/17/17

HEALTH AND SENIOR SERVICES

community and public health, division of

reporting communicable, environmental, and occupational diseases; 19 CSR 20-20.020; 10/3/16, 1/17/17

office of the director

Missouri adoptee rights; 19 CSR 10-10.130; 10/3/16, 1/17/17 regulation and licensure

schedule of controlled substances; 19 CSR 30-1.002; 11/1/16

HIGHER EDUCATION, DEPARTMENT OF

A+ scholarship program; 6 CSR 10-2.190; 10/17/16, 2/1/17 determination of student residency; 6 CSR 10-3.010; 2/1/17 nursing education incentive program; 6 CSR 10-11.010; 1/3/17

HIGHWAYS AND TRANSPORTATION COMMISSION, **MISSOURI**

apportion registration pursuant to international registration plan; 7 CSR 10-25.030; 11/15/16

arbitration method and selection of arbitrator in arbitration proceeding; 7 CSR 10-26.010; 1/17/17

causes for disqualification; 7 CSR 10-18.020; 1/17/17

certification and certification renewal requirements for qualified sampling and testing technicians and sampling or testing technicians-in-training; 7 CSR 10-23.020; 1/17/17

certification suspension and revocation procedures and the appeal process for technicians and sampling or testing technicians-in-training; 7 CSR 10-23.030; 1/17/17

contractor performance project evaluation use for determining contractor performance; 7 CSR 10-10.040; 1/17/17

definitions

7 CSR 10-10.010:1/17/17

7 CSR 10-18.010; 1/17/17 7 CSR 10-23.010; 1/17/17

7 CSR 10-25.070; 11/15/16

description, organization, and information; 7 CSR 10-1.010; 9/15/16, 2/15/17

explanation of contractor performance rating system; 7 CSR 10-10.020: 1/17/17

general program requirements; 7 CSR 10-19.010; 1/17/17 investigation and audits; 7 CSR 10-25.080; 11/15/16 mediation; 7 CSR 10-26.020; 1/17/17 notice of proposed qualification; 7 CSR 10-18.030; 1/17/17 opportunity to appeal proposed disqualification and review board proceedings; 7 CSR 10-18.040; 1/17/17 oversight/overweight permits; 7 CSR 10-25.020; 11/15/16 period of disqualification; 7 CSR 10-18.070; 1/17/17 prequalification to bid of certain contractors; 7 CSR 10-15.010;

fuel tax returns; 7 CSR 10-25.072; 11/15/16

1/17/17
procedure and schedule for completing the contractor performance project evaluation; 7 CSR 10-10.050; 1/17/17

procedure for annual rating of contractors; 7 CSR 10-10.070; 1/17/17

procedure for reinstatement of a contractor previously disqualified; 7 CSR 10-18.090; 1/17/17

rating categories for evaluating the performance of a contractor; 7 CSR 10-10.030; 1/17/17

skill performance evaluation certificates for commercial drivers; 7 CSR 10-25.010; 2/1/17, 3/1/17, 3/15/17 subpoenas; 7 CSR 10-1.020; 11/15/16

weight limitation exception; 7 CSR 10-2.030; 11/15/16

INSURANCE

advertisements of life insurance and annuities; 20 CSR 400-5.100; 11/1/16, 2/15/17

annuity disclosure; 20 CSR 400-5.800; 11/1/16, 2/15/17 applied behavior analysis maximum benefit; 20 CSR; 3/1/17 construction claims binding arbitration cap; 20 CSR; 12/15/16 disclosure of material facts in annuity sales; 20 CSR 400-5.410; 11/1/16, 2/15/17

health insurance rates; 20 CSR 400-13.100; 11/1/16, 2/15/17 licensing procedures and standards for limited lines self-service storage insurance producers; 20 CSR 700-1.170; 10/3/16, 2/1/17

life insurance and annuities replacement; 20 CSR 400-5.400;

non-economic damages in medical malpractice cap; 20 CSR; 2/16/16

reasonable supervision in indexed and fixed annuity sales; 20 CSR 700-1.148; 11/1/16, 2/15/17

reasonable supervision in variable life sales; 20 CSR 700-1.147; 11/1/16, 2/15/17

recommendations of variable life insurance to customers (suitability); 20 CSR 700-1.146; 11/1/16, 2/15/17

sovereign immunity limits; 20 CSR; 12/15/16

standards of commercial honor and principles of trade in life, annuity, and long-term care insurance sales; 20 CSR 700-1.145; 11/1/16, 2/15/17

state legal expense fund; 20 CSR; 12/15/16 suitability in annuity transactions; 20 CSR 400-5.900; 11/1/16, 2/15/17

LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF

Notice of Periodic Rule Review; Title 8; 7/1/16

MEDICAID AUDIT AND COMPLIANCE UNIT, MISSOURI electronic signatures for MO HealthNet Program; 13 CSR 65-3.050; 11/1/16

MENTAL HEALTH, DEPARTMENT OF

application for client research; 9 CSR 60-1.010; 9/1/16, 1/3/17 determining state of domicile; 9 CSR 10-31.016; 12/15/16 individual rights; 9 CSR 45-3.030; 9/1/16, 1/3/17

intermediate care facility for individuals with intellectual disabilities federal reimbursement allowance; 9 CSR 10-31.030; 12/15/16

Notice of Periodic Rule Review; Title 9; 7/1/16 review of research in progress; 9 CSR 60-1.015; 9/1/16, 1/3/17 rights of designated representatives, parents, and guardians; 9 CSR 45-3.040; 9/1/16, 1/3/17

self-directed supports; 9 CSR 45-3.080; 2/1/17 services for individuals with Autism Spectrum Disorder; 9 CSR 45-3.060; 9/1/16, 1/3/17

MISSOURI CONSOLIDATED HEALTH CARE PLAN

public entity membership

definitions; 22 CSR 10-3.010; 12/1/16

disease management services provisions and limitations; 22 CSR 10-3.150; 12/1/16

general membership provisions; 22 CSR 10-3.020; 12/1/16 health savings account plan benefit provisions and covered charges; 22 CSR 10-3.055; 12/1/16

medical plan benefit provisions and covered charges; 22 CSR 10-3.057; 12/1/16

pharmacy benefit summary; 22 CSR 10-3.090; 12/1/16 PPO 600 plan benefit provisions and covered charges; 22 CSR 10-3.056; 12/1/16

PPO 1000 plan benefit provisions and covered charges; 22 CSR 10-3.053; 12/1/16

PPO 600 plan, PPO 1000 plan, and health savings account plan limitations; 22 CSR 10-3.060; 12/1/16

state health plan

contributions; 22 CSR 10-2.030; 12/1/16

definitions; 22 CSR 10-2.010; 12/1/16

disease management services provisions and limitations; 22 CSR 10-2.150; 12/1/16

general foster parent membership provisions; 22 CSR 10-2.110; 12/1/16

general membership provisions; 22 CSR 10-2.020; 12/1/16 partnership incentive provisions and licensure; 22 CSR 10-2.120; 10/3/16, 2/15/17

health savings account plan benefit provisions and covered charges; 22 CSR 10-2.053; 12/1/16

medical plan benefit provisions and covered charges; 22 CSR 10-2.055; 12/1/16

pharmacy benefit summary; 22 CSR 10-2.090; 12/1/16

pharmacy employer group waiver plan for medicare primary members; 22 CSR 10-2.089; 12/1/16

PPO 300 plan benefit provisions and covered charges; 22 CSR 10-2.051; 12/1/16

PPO 600 plan benefit provisions and covered charges; 22 CSR 10-2.052; 12/1/16

PPO 300 plan, PPO 600 plan, and health savings account plan limitations; 22 CSR 10-2.060; 12/1/16

rule for participating higher education entity entry into the Missouri Consolidated Health Care Plan; 22 CSR 10-2.025; 12/1/16

tobacco-free incentive provisions and limitations; 22 CSR 10-2.094; 10/3/16, 2/15/17

MO HEALTHNET

disproportionate share hospital payments; 13 CSR 70-15.220; 2/1/17

MO HealthNet primary care health homes; 13 CSR 70-3.240; 11/1/16

prospective reimbursement plan for nonstate-operated facilities for ICF/IID services; 13 CSR 70-10.030; 9/15/16, 2/1/17

sanctions for false or fraudulent claims for MO HealthNet services; 13 CSR 70-3.030; 11/1/16

state-funded Missouri woman's health services program; 13 CSR 70-4.090; 10/17/16, 3/15/17

NATURAL RESOURCES, DEPARTMENT OF

land survey

acceptance and publication and publication by Missouri
Department of Agriculture; 10 CSR 30-4.040; 1/3/17
accuracy of horizontal control; 10 CSR 30-4.030; 1/3/17
approved documents; 10 CSR 30-3.080; 1/3/17
authorization for removal or alteration of corners; 10 CSR 30-3.020; 1/3/17

certification of the map; 10 CSR 30-6.030; 1/3/17 definitions

10 CSR 30-3.010; 1/3/17 10 CSR 30-4.010; 1/3/17 10 CSR 30-6.010; 1/3/17

GPS survey guidelines; 10 CSR 30-4.050; 1/3/17 horizontal control classification; 10 CSR 30-4.020; 1/3/17 map accuracy standards; 10 CSR 30-6.020; 1/3/17 Missouri coordinate system of 1983; 10 CSR 30-3.070;1/3/17 monumentation; 10 CSR 30-3.050; 1/3/17 monument marking; 10 CSR 30-3.060; 1/3/17 procedure for filing documents; 10 CSR 30-3.040; 1/3/17 reestablished or re-stored corners; 10 CSR 30-3.030; 1/3/17 required work order form; 10 CSR 30-5.020; 1/3/17 surveyor's real property report; 10 CSR 30-5.011; 1/3/17 traverse survey guidelines; 10 CSR 30-4.060; 1/3/17 waiver of 1 KM limitation; 10 CSR 30-4.070; 1/3/17

Notice of Periodic Rule Review; Title 10; 7/1/16

NOTARY

electronic notary definitions; 15 CSR 30-110.010; 2/1/17, 2/15/17 electronic signatures and seals; 15 CSR 30-110.020; 2/1/17, 2/15/17

NURSING, STATE BOARD OF

definitions; 20 CSR 2200-7.001; 1/3/17

nursing education incentive program; 20 CSR 2200-7.010; 1/3/17

PETROLEUM AND HAZARDOUS SUBSTANCE STORAGE **TANKS**

alternative methods of release detection for bulk underground piping; 10 CSR 26-2.047; 9/15/16, 10/3/16

alternative methods of release detection for field-constructed tanks; 10 CSR 26-2.046; 9/15/16, 10/3/16

applicability; 10 CSR 26-2.010; 9/15/16 compatibility; 10 CSR 26-2.032; 9/15/16 definitions; 10 CSR 26-2.012; 9/15/16

general requirements for release detection for all underground storage tank systems; 10 CSR 26-2.040; 9/15/16

interim prohibition for deferred underground storage tank systems; 10 CSR 26-2.011; 9/15/15

methods of release detection for piping; 10 CSR 26-2.044; 9/15/16 methods of release detection for tanks; 10 CSR 26-2.043; 9/15/16 new installation requirements; 10 CSR 26-2.019; 9/15/16 notification requirements; 10 CSR 26-2.022; 9/15/16

operation and maintenance of corrosion protection; 10 CSR 26-2.031; 9/15/16

operation and maintenance walk-through inspections; 10 CSR 26-2.036; 9/15/16

performance standards for new underground storage tank systems; 10 CSR 26-2.020; 9/15/16

release detection record keeping

10 CSR 26-2.045; 9/15/16

10 CSR 26-2.048; 9/15/16

release investigation and confirmation steps; 10 CSR 26-2.052; 9/15/16

repairs allowed; 10 CSR 26-2.033; 9/15/16

reporting and record keeping; 10 CSR 26-2.034; 9/15/16 reporting of suspected releases; 10 CSR 26-2.050; 9/15/16

requirements for petroleum underground storage tank systems; 10 CSR 26-2.041; 9/15/16

requirements for hazardous substance underground storage tank systems; 10 CSR 26-2.042; 9/15/16

spill and overfill control for in-use underground storage tank systems; 10 CSR 26-2.030; 9/15/16

testing of containment sumps; 10 CSR 26-2.035; 9/15/16 upgraded underground storage tank systems; 10 CSR 26-2.021; 9/15/16

UST systems with field-constructed tanks and airport hydrant fuel distribution systems; 10 CSR 26-2.013; 9/15/16

PHARMACY, STATE BOARD OF

collection of non-controlled medication for destruction; 20 CSR 2220-2.095; 10/3/16, 2/1/17

PROPANE SAFETY COMMISSION, MISSOURI

fiscal year July 1, 2016-June 30, 2017 budget plan; 2 CSR 90; 8/15/16

liquefied petroleum gases

definitions and general provisions; 2 CSR 90-10.001, 8/1/16, 1/3/17

inspection authority-duties; 2 CSR 90-10.011; 8/1/16, 1/3/17 installation requirements; 2 CSR 90-10.013; 8/1/16, 1/3/17 NFPA Manual No. 54 National Fuel Gas Code; 2 CSR 90-10.020; 8/1/16, 1/3/17

NFPA Manual No. 58 Storage and Handling of Liquified Petroleum Gas; 2 CSR 90-10.040; 8/1/16, 1/3/17

NFPA Manual No. 1192, Chapter 5, Standard on Recreational Vehicles; 2 CSR 90-10.090; 8/1/16, 1/3/17 registration-training; 2 CSR 90-10.012; 8/1/16, 1/3/17

PUBLIC SAFETY, DEPARTMENT OF

appeals procedure and time limits for victims of crime act grant applications; 11 CSR 30-16.020; 2/1/17

approval; 11 CSR 30-3.010; 11/15/16

eligibility criteria and application procedures for VOCA grants program; 11 CSR 30-16.010; 2/1/17

PUBLIC SERVICE COMMISSION

communications that are not ex parte or extra-record communications; 4 CSR 240-4.040; 1/3/17

confidential information; 4 CSR 240-2.135; 1/3/17

definitions for demand-side programs and demand-side programs investment mechanisms; 4 CSR 240-20.092; 2/1/17

demand-side programs; 4 CSR 240-20.094; 2/1/17

demand-side programs investment mechanisms; 4 CSR 240-20.093;

drug and alcohol testing; 4 CSR 240-40.080; 12/15/16 ex parte and extra-record communications; 4 CSR 240-4.020; 1/3/17

ex parte communications; 4 CSR 240-4.020; 1/3/17 extra-record communications; 4 CSR 240-4.030; 1/3/17

general definitions; 4 CSR 240-4.015; 1/3/17

general provisions; 4 CSR 240-4.017; 1/3/17

incident, annual and safety-related condition reporting requirements; 4 CSR 240-40.020; 12/15/16

limitations of appearance before commission; 4 CSR 240-4.050; 1/3/17

safety standards-transportation of gas by pipeline; 4 CSR 240-40.030: 12/15/16

RETIREMENT SYSTEMS

Missouri local government employees' retirement system

actuarial assumptions; 16 CSR 20-4.010; 9/1/16, 1/3/17

SAFE AT HOME

application assistant training, registration, and renewal; 15 CSR 30-70.020; 10/17/16, 2/15/17

definitions; 15 CSR 30-70.010; 10/17/16, 2/15/17

program participant application and certification process; 15 CSR 30-70.030; 10/17/16, 2/15/17

TAX

annual adjusted rate of interest; 12 CSR 10-41.010; 12/1/16, 3/15/17

THERAPEUTIC MASSAGE, BOARD OF

fees; 20 CSR 2197-1.040; 7/1/16

TRANSPORTATION, DEPARTMENT OF

motor carrier and railroad safety

application requirements for the issuance and transfer of intrastate motor carrier authority; 7 CSR 265-10.015;

11/15/16

computation of effective dates; 7 CSR 265-10.051; 11/15/16

discontinuance of service; suspension and revocation of certificates, permits, and property carrier registrations; 7

CSR 265-10.140; 11/15/16

marking of vehicles; 7 CSR 265-10.025; 11/15/16

merger of duplicated or overlapping motor carrier operating

authority; 7 CSR 265-10.090; 11/15/16

name and address changes for motor carriers; 7 CSR 265-

10.052; 11/15/16

passenger tariffs; 7 CSR 265-10.055; 11/15/16

records of the division; 7 CSR 265-10.017; 11/15/16

Notice of Periodic Rule Review; Title 7; 7/1/16

traffic and highway safety division

approval; 7 CSR 60-3.010; 11/15/16

approval procedure; 7 CSR 60-2.020; 11/15/16

approved motorcycle training course; 7 CSR 60-1.060;

11/15/16

breath alcohol ignition interlock device security; 7 CSR 60-

2.050; 11/15/16

definitions

7 CSR 60-1.010; 11/15/16

7 CSR 60-2.010; 11/15/16

motorcycle instructor; 7 CSR 60-1.030; 11/15/16

program sponsor; 7 CSR 60-1.020; 11/15/16

responsibilities of authorized service providers; 7 CSR 60-

2.040; 11/15/16

standards and specifications; 7 CSR 60-2.030; 11/15/16

suspension or revocation of approval of a device; 7 CSR 60-

2.060; 1/15/16

verification of course completion; 7 CSR 265-1.050; 11/15/16

VETERINARY MEDICAL BOARD, MISSOURI

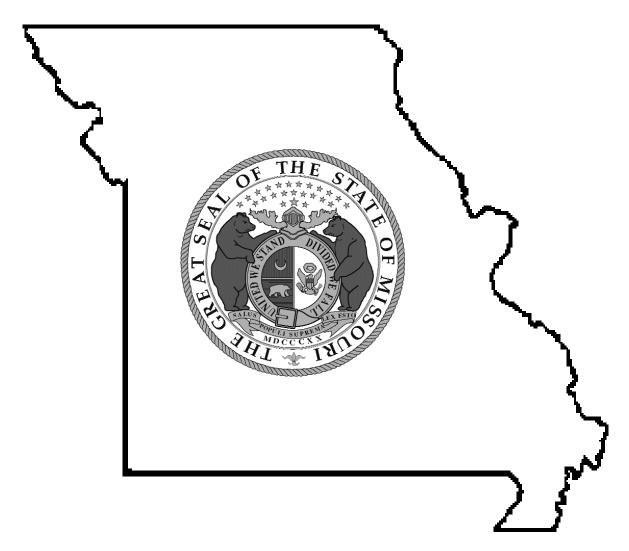
fees; 20 CSR 2270-1.021; 1/17/17

military training to meet requirements for licensure; 20 CSR 2270-2.080; 9/15/16, 1/3/17

military training to meet requirements for registration; 20 CSR 2270-3.045; 9/15/16, 1/3/17

renewal of license or registration for military members; 20 CSR 2270-1.051; 9/15/16, 1/3/17

RULEMAKING 1-2-3 DRAFTING AND STYLE MANUAL

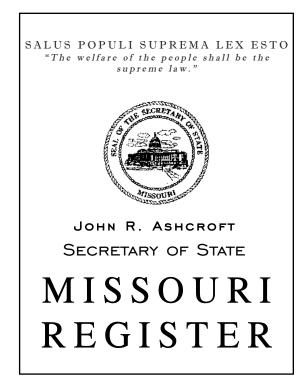


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JOHN R. ASHCROFT

SECRETARY OF STATE
PO BOX 1767
JEFFERSON CITY, MO 65102

Periodical
Postage Paid at
Jefferson City,
MO

Administrative Rules Contact Information

General Inquiries

(573) 751-4015

rules@sos.mo.gov

Curtis W. Treat, Managing Editor

(573) 751-2022

curtis.treat@sos.mo.gov

Vonne Kilbourn, Associate Editor

(573) 751-1818

vonne.kilbourn@sos.mo.gov

Jacqueline D. White, Publications

(573) 526-1259

jacqueline.white@sos.mo.gov

Waylene Hiles, Director

(573) 751-1869

waylene.hiles@sos.mo.gov

Amanda McKay, Editor

(573) 522-2593

amanda.mckay@sos.mo.gov

Marty Spann, Assistant Editor

(573) 522-2196

martha.spann@sos.mo.gov

Alisha Dudenhoeffer, Administrative Assistant

(573) 751-4015

alisha.dudenhoeffer@sos.mo.gov