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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI
REGISTER

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May 1, 2018 May 15, 2018	June 1, 2018 June 15, 2018	June 30, 2018 June 30, 2018	July 30, 2018 July 30, 2018
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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at www.sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

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

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

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

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

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

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

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

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

The *Register* address is www.sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

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

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

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

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 4—Fees Charged by the Board of Pharmacy**

EMERGENCY AMENDMENT

20 CSR 2220-4.010 General Fees. The Board of Pharmacy is proposing to amend subsection (1)(D) and delete section (5).

PURPOSE: The Board of Pharmacy is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo, governing the practice of pharmacy. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Based on the board's five- (5-) year projections, the board finds it necessary to reduce renewal fees for Missouri licensed pharmacists.

EMERGENCY STATEMENT: The Board of Pharmacy is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of Chapter 338, RSMo. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Therefore, the board is proposing to decrease 2018 renewal fees for Missouri pharmacists from two hundred dollars (\$200) to one hun-

dred dollars (\$100). Pharmacist renewal notices will be mailed on August 1, 2018. Without this emergency amendment, the decreased fee requirements will not be effective prior to mailing and the board will collect more revenue than it is statutorily authorized to collect. The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. In developing this emergency amendment, the board has determined that the fee decrease is necessary for the 2018 renewal period to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 338.070.3, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The board believes this emergency amendment to be fair to all interested persons and parties under the circumstances. This emergency amendment was filed February 16, 2018, becomes effective March 30, 2018, and expires January 9, 2019.

- (1) The following fees are established by the State Board of Pharmacy:
- | | |
|--|--------------|
| (D) Pharmacist License Renewal Fee | \$200 |
| 1. Effective from August 1, 2018 through
October 31, 2018 | \$100 |

[(5) To ensure compliance with section 338.070, RSMo, the following renewal fees shall be effective from August 1, 2017 to October 31, 2017:

- | | |
|--|--------|
| (A) Pharmacy Distributor/Wholesale Drug
Distributor License Renewal Fee | \$ 150 |
| (B) Pharmacy Permit Renewal Fee | \$ 150 |

AUTHORITY: sections 338.020, 338.035, 338.040, 338.060, 338.070, 338.140, 338.185, 338.220, 338.230, 338.270, 338.280, 338.335, and 338.350, RSMo 2016. This rule originally filed as 4 CSR 220-4.010. Emergency rule filed July 15, 1981, effective Aug. 3, 1981, expired Nov. 11, 1981. Original rule filed Aug. 10, 1981, effective Nov. 12, 1981. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Feb. 16, 2018, effective March 30, 2018, expires Jan. 9, 2019. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

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

EXECUTIVE ORDER

18-02

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

WHEREAS, the severe storm systems beginning on February 23, 2018 and continuing have created a condition of distress and hazard to the safety, welfare, and property of the people of the State of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

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

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

WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo, is required to ensure the safety and welfare of the people of Missouri and to activate the resources necessary to keep Missourians safe.

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

I further order and direct the Adjutant General of the State of Missouri, or his designee, to forthwith call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and it is further ordered and directed that the Adjutant General or his designee, and through him, the commanding officer of any unit or other organization of such organized militia so called into active service take such action and employ such equipment as may be necessary in support of civilian authorities, and provide such assistance as may be authorized and directed by the Governor of this State.

This Order shall terminate on March 24, 2018, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 24th day of February, 2018.



A handwritten signature in black ink, appearing to read "Eric R. Greitens". The signature is written in a cursive style and is positioned above a horizontal line.

Eric R. Greitens
Governor

A handwritten signature in black ink, appearing to read "John R. Ashcroft". The signature is written in a cursive style and is positioned above a horizontal line.

John R. Ashcroft
Secretary of State

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

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

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

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

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

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

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE Division 10—Market Development Chapter 3—Usage Fees

PROPOSED RESCISSION

2 CSR 10-3.010 Usage Fees for the KCI Multipurpose Export Facility. This rule established and fixed the various fees and charges for facility usage and housing of livestock and agricultural products at the KCI Multipurpose Export Facility in Kansas City, Missouri prior to shipment.

PURPOSE: This rule is being rescinded as the KCI Multipurpose Export Facility no longer exists.

AUTHORITY: section 261.020, RSMo 1986. Original rule filed April 16, 1990, effective Sept. 28, 1990. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 10—Market Development Chapter 2—Subscription Fees

PROPOSED RESCISSION

2 CSR 10-2.010 Subscription Fees for the "Weekly Market News Summary." This rule established fees for the "Daily Market News Summary" and the "Weekly Market News Summary."

PURPOSE: This rule is being rescinded as the "Daily Market News Summary" and the "Weekly Market News Summary" are both available free of charge on the department's website.

AUTHORITY: section 261.020, RSMo 2000. Original rule filed Feb. 25, 1982, effective June 11, 1982. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Feb. 20, 2018.

Title 2—DEPARTMENT OF AGRICULTURE Division 10—Market Development Chapter 4—AgriMissouri Matching Fund Program

PROPOSED RESCISSION

2 CSR 10-4.010 Guidelines for the AgriMissouri Matching Fund Program. This rule established the guidelines governing the AgriMissouri Matching Fund Program.

PURPOSE: This rule is being rescinded as authority is provided to the Director of the Department of Agriculture.

AUTHORITY: section 261.020, RSMo 1986. Original rule filed March 20, 1992, effective Dec. 3, 1992. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 10—Market Development
Chapter 5—Price Reporting**

PROPOSED RESCISSION

2 CSR 10-5.010 Price Reporting Requirements for Livestock Purchases by Packers. This rule specified the requirements of sections 277.200 through 277.215, RSMo, which may have been confusing or subject to differing interpretations by interested members of the public.

PURPOSE: This rule is being rescinded as the mandatory price reporting at the USDA Federal Level replaces the need for this rule.

AUTHORITY: section 277.215, RSMo Supp. 1999. This rule previously filed as 2 CSR 10-5.005. Emergency rule filed Sept. 3, 1999, effective Sept. 13, 1999, expired March 2, 2000. Emergency rescission and rule filed June 15, 2001, effective June 25, 2001, expired Feb. 28, 2002. Original rule filed Oct. 15, 1999, effective April 30, 2000. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 10—Market Development
Chapter 5—Price Reporting**

PROPOSED RESCISSION

2 CSR 10-5.015 Public Complaint Handling and Disposition Procedure for Missouri Livestock Marketing Law. This rule established a procedure for the receipt, handling, and disposition of public complaints pursuant to the mandate of the Missouri Livestock Marketing Law, sections 277.200–277.215 RSMo, Supp. 2001.

PURPOSE: This rule is being rescinded as the mandatory price reporting at the USDA Federal Level replaces the need for this rule.

AUTHORITY: sections 277.200–277.215, RSMo 2000 and Supp. 2001. Emergency rule filed Oct. 16, 2001, effective Oct. 26, 2001, expired April 23, 2002. Original rule filed Feb. 13, 2002, effective July 30, 2002. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Agriculture, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102, or online at Agriculture.Mo.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights, Measures and Consumer
Protection
Chapter 30—Petroleum Inspection**

PROPOSED AMENDMENT

2 CSR 90-30.040 Quality Standards for Motor Fuels. The director is amending the summary statement, subsections (1)(C), (1)(E), and (1)(F), and deleting subsections (1)(G)–(1)(K).

PURPOSE: This amendment will update the summary statement by removing obsolete designation numbers which conflict with state statute 414.032, RSMo, removes the sunset date on the vapor pressure exemption allowed for ethanol blended gasoline, removes obsolete terms used for gasoline grades and octane rating for premium that conflict with state statute 414.255, RSMo, and removes more obsolete designation numbers which conflict with state statute 414.032, RSMo.

SUMMARY: [American Society for Testing and Materials (ASTM) Designation: D 4814-88a addresses standard specifications for the properties of automotive spark-ignition engine fuel. ASTM Designation: No. D 910-88a addresses standard specifications for the properties of aviation gasoline. ASTM Designation: D 1655-88a addresses standard specifications for the properties of aviation turbine fuel. ASTM Designation: D 975-88 addresses standard specifications for the properties of all diesel fuel. ASTM Designation: D 396-86 addresses standard specifications for the properties of all fuel oils. ASTM Designation: D 3699-88 addresses standard specifications for the properties of all kerosene. The number immediately following the designated specification number indicates the year of original adoption or, in the case of revision, the year of last revision.] ASTM International, formerly known as the American Society of Testing and Materials (ASTM) addresses standard specifications for kerosene, diesel fuel, heating oil, aviation turbine fuel, gasoline, gasoline-alcohol blends, and other motor fuels. Missouri references the most current edition of ASTM specifications as Missouri law (Chapter 414.032 RSMo).

(1) Regulation Regarding Quality of Motor Fuels. The following fuels when sold, offered for sale, or when used in this state shall meet the following requirements:

(C) All automotive gasoline containing oxygenated additives shall meet the requirements set in ASTM D4814 and the following

requirements:

1. When methanol is blended in quantities greater than three tenths (0.3) volume percent, the finished blend shall contain at least an equal amount of butanol or higher molecular weight alcohol;

2. When gasoline contains nine percent (9%) to ten percent (10%) ethanol, a vapor pressure tolerance not exceeding one pound per square inch (1.0 psi) is allowed from June 1 through September 15;

3. When gasoline contains one percent (1%) or up to and including fifteen percent (15%) ethanol, a one pound per square inch (1.0 psi) vapor pressure tolerance is allowed for volatility classes A, B, C, and D from September 16 through May 31;

4. When gasoline contains one percent (1%) or up to and including fifteen percent (15%) ethanol, a one-half pound per square inch (0.5 psi) vapor pressure tolerance is allowed for volatility class E from September 16 through May 31; and

5. The vapor pressure exceptions in paragraphs (1)(C)2., 3., and 4. of this rule will remain in effect until *[September 16, 2018, or until]* ASTM incorporates changes to the vapor pressure maximums for ethanol blends, *[whichever occurs earlier]*;

(E) The minimum $(R \pm M)/2$ octane rating of automotive gasoline grades and gasoline-oxygenate blended grades shall be no less than the following:

- | | |
|------------------------------------|-------------|
| <i>[1. Sub-Octane Unleaded</i> | <i>86;]</i> |
| <i>[2.]1. Regular Unleaded and</i> | <i>87;</i> |
| <i>[3. Regular Leaded</i> | <i>88;</i> |

and]

[4.]2. Premium [Unleaded], Super, Supreme *[90]91;*
and

(F) The motor octane number shall not be less than eighty-two (82) for regular unleaded gasoline[.];

[(G) All aviation gasoline shall meet the requirements in the Annual Book of ASTM Standards, Designation: D 910-88a;

(H) All aviation turbine fuel shall meet the requirements in the Annual Book of ASTM Standards, Designation: D 1655-88a;

(I) All diesel fuel shall meet the requirements in the Annual Book of ASTM Standards, Designation: D 975-88;

(J) All fuel oils shall meet the requirements in the Annual Book of ASTM Standards, Designation: D 396-86; and

(K) All kerosene shall meet the requirements in the Annual Book of ASTM Standards, Designation: D 3699-88.]

AUTHORITY: section 414.142, RSMo [2000], and section 414.300, RSMo [Supp. 2015]. This rule was previously filed as 2 CSR 90-30.030. Emergency rule filed Dec. 1, 1987, effective Jan. 1, 1988, expired March 1, 1988. Original rule filed Oct. 16, 1987, effective Feb. 11, 1988. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Feb. 27, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Mr. Ronald G. Hayes, Division Director, Weights, Measures and Consumer Protection Division, PO Box 630, Jefferson City, MO 65102 or online at Agriculture.MO.Gov/proposed-rules/. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 25—Fiscal Management
Chapter 2—Purchase of Service Contracting

PROPOSED AMENDMENT

9 CSR 25-2.005 Definitions. The department is deleting and adding new section (1), deleting sections (2) and (3), and amending the purpose statement.

PURPOSE: *This amendment eliminates the definitions as they are outdated. The department will defer to state statute for explanation of terms used in this chapter.*

PURPOSE: *This rule [defines the] defers to state statute for the definition of terms used in this chapter.*

[(1) The terms defined in section 630.005, RSMo are incorporated by reference for use in this chapter as though set out in this rule unless those terms have been redefined under section (2) as for purposes of this rule.

(2) Unless the context clearly requires otherwise, the following terms used in this chapter shall mean:

(A) Affiliated community service provider, an entity so designated by the Department of Mental Health—1) to provide, directly or by purchase from community providers, for clients of the Division of Mental Retardation and Developmental Disabilities a comprehensive array of services or for a comprehensive array of services for clients of the Division of Comprehensive Psychiatric Services under Chapter 632, RSMo or 2) to provide community support program services to clients referred by a Department of Mental Health facility. Affiliated community service providers are independent contractors providing an array of services for clients of the Divisions of Comprehensive Psychiatric Services or Mental Retardation and Developmental Disabilities;

(B) Award, the presentation by the department of a contractual agreement to an offeror selected after responding to a request for a proposal (RFP) as set out in this chapter;

(C) Community support program, an array of supportive services provided to assist clients of the department living in generic housing or an array of specialized services provided to enable a client of the department to live in community residential programs;

(D) Competitive evaluation, the process set out in this chapter where the department evaluates completed proposals from responsive offerors to determine the best proposal(s) for the Department of Mental Health. Multiple contracts may be awarded in the best interest of the department;

(E) Comprehensive array of services, for the Division of Comprehensive Psychiatric Services, it is the capacity of an agency to provide services, including mental health evaluation and assessment services, individual and group therapies, day treatment, medical services, administrative coordination, case management, information and education services and general access to or provision of inpatient care on both a scheduled and twenty-four (24)-hour-a-day basis; for the Division of Mental Retardation and Developmental Disabilities, it is the capacity of an agency to provide services including, but not limited to, assessment services, counseling, respite care, recreation, habilitation, training, vocational rehabilitation, residential care, homemaker services, developmental day care, sheltered workshops, referral to appropriate services, placement and transportation;

(F) Contractual agreement, the document executed by a department official and the offeror selected as set out in this chapter to provide certain services to certain clients in a certain geographic area;

(G) Department, the Department of Mental Health and its

Divisions of Comprehensive Psychiatric Services, Mental Retardation and Developmental Disabilities, Alcohol and Drug Abuse and the department's designated staff;

(H) Multiple award, a contract awarded to two (2) or more offerors for services required to meet the needs of the department;

(I) Noncompetitive negotiation, the noncompetitive procedure where the department establishes contracts with eligible service providers through direct negotiation, and a contract(s) is awarded in accordance with the fiscal and programmatic interests of the department.

(J) Nonresponsive proposal, an offeror whose proposal does not conform to the mandatory or essential requirements of an RFP;

(K) Offeror, a provider or potential provider submitting a proposal in response to an RFP;

(L) RFP, a request for a proposal developed by the department for solicitation of prospective offerors to provide certain services to clients according to certain criteria, terms and conditions specified by the department;

(M) Responsive offeror, an offeror whose proposal does conform to the mandatory or essential requirements of the RFP; and

(N) Solicitation, the process of notifying prospective offerors that the department seeks proposals to purchase certain services for clients in a certain area.

(3) Singular terms include the plural and vice versa, unless the context clearly indicates otherwise.]

(1) Definitions for terms for this chapter can be found in section 630.005, RSMo.

AUTHORITY: sections 34.100, [and] 630.050, [RSMo 2000] and 630.405, RSMo [Supp. 2003] 2016. Original rule filed Oct. 16, 1986, effective July 13, 1987. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 23, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 25—Fiscal Management
Chapter 2—Purchase of Service Contracting**

PROPOSED AMENDMENT

9 CSR 25-2.105 Purchasing [Client] Services for Individuals Served by the Department. The department is amending the rule title, the purpose, and sections (1) and (2), deleting sections (3) and (4), and adding new section (3).

PURPOSE: This amendment changes the rule title, updates terminology and purchasing processes, and removes unnecessary language.

PURPOSE: This rule prescribes the procurement [system] process for purchasing [certain departmental] services [(other than in the department's community placement program)] for [departmental clients] individuals being served by the department. As set out in sections 34.100 and 630.405, RSMo, the commissioner of administration shall have the power to delegate his/her authority to the department to purchase services for [clients from providers to the department] individuals it serves. The delegation of authority requires the department to comply with the basic intent of public procurement procedures to purchase the services.

(1) As set out in sections 34.100 and 630.405, RSMo, the commissioner of administration has delegated his/her authority to the department to purchase services from providers directly rather than through the Division of Purchasing of the Office of Administration. The commissioner delegates the authority by letter to the department director on [a year-to-year] an annual or triennial basis.

(2) The director may designate administrative entities [to be known as affiliated community service providers to provide psychiatric and developmental disabilities services as defined by Chapters 632 and 633, RSMo in a service area or region where no state-operated facility exists in that region to provide these services. In so designating entities, the director may take into account, but shall not be limited to, the following: the ability of the entity to provide, subcontract or develop the necessary array of services, the stability of the entity as indicated by its historical service provision, the community-based nature of the service, the ability of the entity to utilize funding to maximize division-identified services to the greatest number of clients with quality and effective service] for the purchase of services for individuals served by the Division of Behavioral Health and the Division of Developmental Disabilities as defined in section 630.407, RSMo.

[(3) The noncompetitive negotiation procedure shall be used when the department director designates an affiliated community service provider.

(4) The noncompetitive negotiation procedure shall be used to establish contracts for the Division of Mental Retardation and Developmental Disabilities' Purchase of Service programs.]

(3) As set out in section 630.407, RSMo, the department may contract directly with administrative entities without competitive bids.

AUTHORITY: sections 34.100, [and] 630.050, [RSMo 2000] and 630.405, RSMo [Supp. 2003] 2016. Original rule filed Oct. 16, 1986, effective July 13, 1987. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 23, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 25—Fiscal Management
Chapter 2—Purchase of Service Contracting

PROPOSED AMENDMENT

9 CSR 25-2.305 [Request for Proposal] Invitation for Bid Solicitation Procedures. The department is amending the rule title and purpose, deleting sections (1)–(12), and adding a new section (1).

PURPOSE: This amendment changes the rule title and removes language related to request for proposal as this process has been replaced by invitation for bid.

PURPOSE: This rule prescribes department procedures for soliciting [offerors] bidders in response to [requests for a proposal] an invitation for bid for services which require a competitive bid.

[(1) The department shall specify in each request for a proposal (RFP) the proposal closing time, date and place to provide offerors a reasonable time to prepare their proposals.

(2) The department shall post notices of the availability of the RFPs in the department's central office contracts unit. The department shall mail or otherwise distribute the RFPs or notices of the availability of the RFPs.

(A) If a purchase involves the estimated expenditure of more than twenty-five thousand dollars (\$25,000), the department shall advertise the notice of availability of the RFP in two (2) newspapers of general circulation in the geographic area where the services are to be provided or in places as are most likely to reach prospective sources.

(B) The department shall make a copy of each RFP available for public inspection at the department's central office contracts unit.

(3) The department may issue amendments for any modification(s) of the RFP. The department shall plainly mark any RFP amendment as such and shall reference the portions of the RFP it amends.

(4) Offerors may modify or withdraw proposals in writing in a notice to the department at the location designated in the RFP before the proposal closing time and date. The department shall keep any modification or withdrawal documentation in the RFP file.

(5) When the procurement requires the utilization of competitive evaluation, the formal RFP solicitation method should be utilized.

(A) Proposals should be received in a sealed container by the time set forth for the opening of the proposals.

(B) Proposals received after the time set forth for the opening of proposals shall be considered late and will not be opened.

(C) Under extraordinary circumstances, the department may authorize the opening of a late proposal. In such cases, the proposal must have been turned over to the physical control of an independent postal or courier service with promised delivery time prior to the time set forth for the opening of the proposals. All such decisions are at the sole discretion of the department. The following guidelines may be utilized to determine the criteria for an extraordinary circumstance:

- 1. State offices were closed due to inclement weather conditions;*
- 2. Postal or courier services were delayed due to labor strikes or unforeseen "Acts of God"; and*
- 3. Postal or courier service did not meet delivery time*

promised to the offeror. In such case, the offeror must provide written proof that the promised delivery time was prior to the time set forth for the opening of the proposals.

(D) Proposals received in response to an RFP shall not be available for public review until after a contract is executed or all proposals are rejected.

(6) The department shall keep records of each late proposal, modification(s) or withdrawal in the RFP file.

(7) The department shall open proposals and modifications publicly at the time and date as specified in the RFP.

(8) In the event the department receives a container which is not identifiable as a specific proposal, an authorized person within the department may open the container to determine its contents. If the contents are determined to be a proposal, the container will be resealed and the solicitation number, opening date, and time will be noted on the outside. The container will then be filed until the official time for opening.

(9) After the proposal opening, an offeror may be permitted to withdraw a proposal prior to award at the sole discretion of the department, if there is a verifiable error in the proposal, and enforcement of the proposal would impose an unconscionable hardship on the offeror. The withdrawal will be considered only after receipt of a written request and supporting documentation from the offeror. Withdrawal shall be the offeror's sole remedy for an error other than an obvious clerical error.

(10) If mistakes in proposals are discovered after the proposal closing time and date but before award, the following procedures shall apply. The department may allow the offeror to correct minor informalities which are matters of form rather than substance or insignificant mistakes correctable without unfair advantage to the offeror.

(11) The department shall issue a determination in writing granting or denying requests to modify or withdraw proposals because of a mistake.

(12) Contracts awarded as a result of a competitive solicitation may be amended when such an amendment is in the best interest of the department and does not significantly alter the original intent or scope of the contract.]

(1) The department complies with Office of Administration, Division of Purchasing rules, regulations, and requirements related to the Invitation for Bid (IFB) process as set out in Chapter 34, RSMo, 1 CSR 40, the state procurement manual, and Division of Purchasing policies and procedures.

AUTHORITY: sections 34.100, 630.050, [RSMo 2000] and 630.405, RSMo [Supp. 2003] 2016. Original rule filed Oct. 16, 1986, effective July 13, 1987. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 23, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to

Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 25—Fiscal Management
Chapter 2—Purchase of Service Contracting**

PROPOSED AMENDMENT

9 CSR 25-2.405 [RFP] Invitation for Bid Evaluation and Award. The department is amending the rule title and purpose, deleting sections (1)–(5), and adding a new section (1).

PURPOSE: This amendment changes the rule title and removes language related to request for proposal as this process has been replaced by invitation for bid.

PURPOSE: This rule prescribes the [request for a proposal] evaluation and award procedures for an invitation for bid.

[(1) All proposals received by the closing time and date shall be reviewed by the department.

(2) The department shall first evaluate proposals for responsiveness to the request for a proposal (RFP) criteria, terms and conditions. The department shall not evaluate any proposal on any criteria which is not disclosed in the RFP and amendments. The department shall not recommend any non-responsive proposal to the next evaluation step.

(3) The department may negotiate with responsive offerors as described in the RFP.

(4) The department reserves the right to make multiple awards.

(5) After an award is made, the solicitation file and notice of award shall be made available to the public for inspections at any time during regular working hours.]

(1) The department complies with Office of Administration, Division of Purchasing rules and regulations and requirements related to the Invitation for Bid (IFB) evaluation and award process as set out in Chapter 34, RSMo, 1 CSR 40, the state procurement manual, and Division of Purchasing policies and procedures.

AUTHORITY: sections 34.100, [and] 630.050, [RSMo 2000] and 630.405, RSMo [Supp. 2003] 2016. Original rule filed Oct. 16, 1986, effective July 13, 1987. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 23, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO

Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 25—Fiscal Management
Chapter 2—Purchase of Service Contracting**

PROPOSED AMENDMENT

9 CSR 25-2.505 Protest and Appeal Procedures. The department is amending the purpose, deleting sections (1)–(3), and adding new section (1).

PURPOSE: This amendment removes request for proposal (RFP) terminology and replaces it with Invitation for Bid (IFB) and updates the protest and appeal procedures.

PURPOSE: This rule prescribes procedures for [offerors] bidders to protest [the department's competitive Request for Proposal solicitation process and/or appeal] a department decision regarding the award of contract(s), as a result of a competitive [Request for Proposal] Invitation for Bid process.

[(1) An aggrieved offeror may protest the solicitation process performed by the department with a competitive Request for Proposal (RFP).

(A) The aggrieved offeror shall issue a protest of the solicitation process, in writing, to the department's contract coordinator in the Office of Administration (Mental Health). The aggrieved offeror must submit the protest with reasonable promptness to their notice of the complaint and prior to the date of contract award.

(B) Any offeror protesting a solicitation process under this rule shall include in their written protest the name and address of the offeror aggrieved, the RFP number and their complaint of the solicitation process. The offeror shall include support documentation to substantiate any claims made and specify the relief requested from the department.

(C) Upon receipt of protest the contracts coordinator shall consult with the deputy director of administration (Mental Health). Upon the finding of facts the department shall take appropriate action and issue a written response to the involved parties within ten (10) state working days of receipt of the protest. The department's written response shall be final.

(2) An aggrieved offeror may appeal a department decision regarding the award of contract(s), as a result of a competitive Request for Proposal process.

(A) The aggrieved offeror shall issue an appeal of a contract award, in writing, to the director of the division for which the services are to be purchased (directors of the Division of Mental Retardation and Developmental Disabilities, Division of Comprehensive Psychiatric Services or Division of Alcohol and Drug Abuse) within ten (10) state working days of the department's issuance of a notice of contract award, of which aggrieved.

(B) Any offeror appealing a contract award under this rule shall include in their written appeal the name and address of the offeror aggrieved, the RFP number, the name of the contract awardee and their complaint. The offeror shall state the specific grounds for the appeal and include supporting documentation.

(C) Upon receipt of an appeal the division director shall consult with the deputy director of administration (Mental Health) and shall issue a written response to the involved parties within fifteen (15) state working days of receipt of the appeal. The division director's written response shall be a decision to accept or reject the appeal.

(D) If the offeror finds the written response of the division director to be unacceptable, the offeror may issue an appeal of the decision, in writing, to the department director within ten (10) state working days after the issuance of the division director's written response.

(E) If an aggrieved offeror appeals the division director's response, the aggrieved offeror shall state the specific reasons why the response was not acceptable and why the aggrieved offeror is appealing the response to the department director.

(F) Within fifteen (15) state working days of receipt of the offeror's appeal of the division director's response, the department director shall issue a written response to the involved parties. The department director's written response shall be a decision to accept or reject the appeal. The department director's written response shall be final.

(3) At each step of the protest or appeal procedure the element of time shall be measured by date stamp or registered mail receipt for the date of receipt and U.S. mail postmark for the date of issuance.]

(1) A bid award protest must be submitted in writing to the division director, or their designee, for which the services are to be purchased (directors of the Division of Developmental Disabilities or Division of Behavioral Health). Award protests must be received by the department within ten (10) business days after the date of award. If the tenth day falls on a Saturday, Sunday, or state holiday, the period shall extend to the next state business day. A protest submitted after the ten- (10-) business day period will not be considered.

(A) The written protest must include the following information:

1. Name, address, and phone number of the protester;
2. Signature of the protester or the protester's representative;
3. Solicitation number;
4. Detailed statement describing the grounds for the protest; and
5. Supporting exhibits, evidence, or documents to substantiate claim.

(B) A protest which does not contain the information specified in this rule may be denied solely on that basis.

(C) All protests filed in a timely manner will be reviewed by the division director or designee. The division director or designee will only issue a determination on the issues asserted in the protest.

(D) A protest that is untimely or fails to establish standing to protest will be summarily denied. In other cases, the determination will contain findings of fact, an analysis of the protest, and a conclusion that the protest will either be sustained or denied. If the protest is sustained, remedies include canceling the award. If the protest is denied, no further action will be taken by the department.

AUTHORITY: sections 34.100, [and] 630.050, [RSMo 2000] and 630.405, RSMo [Supp. 2001] 2016. Original rule filed Oct. 16, 1986, effective July 13, 1987. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 23, 2018.

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

in the aggregate.

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 25—Fiscal Management Chapter 3—Miscellaneous Rules

PROPOSED AMENDMENT

9 CSR 25-3.040 [Fiscal Management] Compensation to Public Administrators. The department is amending the rule title, purpose, and section (1), and deleting sections (2) and (3).

PURPOSE: This amendment changes the section title to more accurately reflect the contents of the rule and updates the guidelines for compensating public administrators from a consumer's banking account.

PURPOSE: This rule sets guidelines for compensation to public administrators and applies to all department facilities and department-operated programs designated as representative payee for [client] consumer entitlements when the public administrator is guardian and/or conservator.

(1) A facility/program shall debit [a client's personal] an individual's Consumer Banking account [and shall] to compensate a public administrator [seventy-five dollars (\$75) annually, which may be paid in equal monthly installments, from the client's personal account when all of the following conditions have been met] for the amount allowed by the court in accordance with the following:

[(A) The client has been served by the department for at least six (6) months;]

[(B)](A) The department facility/program is representative payee for Social Security Administration (SSA), Supplemental Security Income (SSI), veterans' benefits; railroad retirement benefits; civil service annuities; federal, state, or city retirement programs or any other retirement or benefit program;

[(C) The public administrator has requested compensation and there are no other funds available to pay the requested compensation;

(D) The court has allowed the compensation;]

[(E)](B) The payment for the compensation is not prohibited by the benefit program which will be used to pay the requested compensation; and

[(F)](C) If the expenditure would place the [client] consumer in present or future jeopardy or adversely affect the services to the [client] consumer, the facility/program with administrative control of the [client] consumer's account shall consult legal counsel as to whether a modification of the court order shall be sought.

[(2) A public administrator whose expenses are in excess of seventy-five dollars (\$75) annually may submit documentation of expenditures to the representative payee facility for consideration. If the client's personal account is sufficient

and the additional expenditures will not deplete the account or place the client in any present or future jeopardy, or in any way adversely affect services to the client, the facility staff may reimburse additional expenses from the personal account if the excess expenses are reasonable and justifiable in the judgment of the assistant superintendent of administration or assistant center director of administration and the client's total personal monies are at least three hundred seventy-five dollars (\$375) in the previous fiscal year.

(3) The public administrator request for compensation shall be directed to the responsible facility's assistant superintendent of administration or assistant center director of administration.]

AUTHORITY: section 630.050, RSMo [1986] 2016. Original rule filed Feb. 1, 1988, effective June 27, 1988. Amended: Filed Feb. 27, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the *Missouri Register*. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 3—[Alcohol and Drug Abuse] Substance Use
Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 30-3.201 Substance Abuse Traffic Offender Program[s].
The department is amending the chapter title, rule title, purpose, and sections (2), (3), (6), and (7), deleting sections (1), (4), and (5), and adding new sections (1), (4), and (5).

PURPOSE: This amendment changes the chapter title, revises the rule title, purpose statement, adds the Serious and Repeat Offender Program (SROP), eliminates the Youth Clinical Intervention Program (YCIP), and replaces outdated language with current service delivery practices and state-of-the-art terminology.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

PURPOSE: This rule identifies the Department of Mental Health as being responsible for the certification of Substance Abuse Traffic Offender Program[s] (SATOP) as mandated by state statute. The rule includes program purpose and mission, functions, certification

requirements, and types of SATOPs certified by the department.

[(1)Mission. The Missouri Substance Abuse Traffic Offender Programs (SATOP) is a statewide system of comprehensive, accessible, community-based education and treatment programs designed for individuals arrested for alcohol and drug-related driving offenses. The mission of SATOP is to—

- (A) Inform and educate these drivers as to the hazards and consequences of impaired driving;
- (B) Promote safe and responsible decision making regarding driving;
- (C) Motivate for personal change and growth; and
- (D) Contribute to public health and safety in Missouri.]

(1) **Purpose and Mission.** The Substance Abuse Traffic Offender Program (SATOP) is a statewide system of comprehensive, accessible, community-based education and treatment programs for individuals referred as the result of an alcohol- or drug-related traffic offense. The department develops the standards by which SATOPs operate in Missouri and certifies programs to provide services in accordance with those standards.

(A) The mission of SATOP is to—

- 1. Inform and educate individuals about the dangers and consequences of alcohol- and drug-impaired driving;
- 2. Educate youth about the risks and consequences of alcohol and drug use and help them develop skills to make healthy choices;
- 3. Motivate individuals for personal change and growth; and
- 4. Contribute to the public health and safety of Missouri by preventing and reducing the prevalence of alcohol- and drug-impaired driving.

(B) Completion of a SATOP is a prerequisite for driver's license reinstatement for individuals who—

- 1. Have pleaded guilty or have been found guilty of an alcohol- or drug-impaired driving offense;
- 2. Have been referred as a result of an administrative suspension or revocation of their driver's license, court order, condition of probation, or plea bargain; or
- 3. Have been charged with minor in possession and zero tolerance offenses.

(2) **Program Functions.** [Substance Abuse Traffic Offender Programs] SATOPs shall provide or arrange for [assessment] screening, clinical assessment when indicated, education [and rehabilitation], and treatment services for individuals referred to the program.

(A) All SATOPs shall comply with the 2017 edition of the *SATOP Provider Manual*, Department of Mental Health, 1706 E. Elm Street, Jefferson City, Missouri and incorporated herein by reference. The referenced manual does not include any later amendments or additions.

(3) **Performance Indicators.** The following are intended as examples of indicators that can be used by the department and the [organization providing] SATOP to demonstrate achievement of the program's purpose, mission, and functions. Indicators can include, but are not limited to [the following:]—

(A) Characteristics of persons participating in SATOP such as demographics, blood alcohol content (BAC) [level] at the time of arrest, [type of offenses,] prior drinking and driving arrests, prior participation in a SATOP, [participation, etc] and prior treatment for a substance use disorder;

(B) Consistent use of screening criteria including the rate at which persons are assigned to the various types of education[, intervention] and treatment programs;

(C) Rate at which persons successfully complete a SATOP and the various types of programs available;

(D) Reductions in [drinking and driving] alcohol- and drug-impaired driving among those who complete a SATOP; and

(E) *[Consumer] Program* satisfaction and feedback from individuals served.

[(4) Types of Programs. The department shall recognize and certify the following types of Substance Abuse Traffic Offender Programs:

(A) *Adolescent Diversion Education Programs (ADEP)* which provide offender education to those persons coming under the purview of sections 577.500, 577.525, RSMo and to those under the age of twenty-one (21) coming under the purview of sections 302.510, 302.540 and 577.049, RSMo;

(B) *Youth Clinical Intervention Programs (YCIP)* which provide intervention, education, and long-term counseling for offenders who are identified through an assessment screening as having alcohol and/or other substance abuse problems and who are under the age of twenty-one (21). A Youth Clinical Intervention Program shall provide twenty-five (25) hours of therapeutic activity for each offender, including ten (10) hours designed to address the issue of drinking and driving;

(C) *Offender Management Units (OMU)* which provide assessment screening including an individualized interview, recommendation and referral for further services for those coming under the purview of applicable sections of Chapters 302 and 577, RSMo, or by order of the court;

(D) *Offender Education Programs (OEP)* which provide basic offender education over the course of ten (10) hours for lower risk first offenders to assist them in understanding the choices they made that led to their arrest and the resulting consequences. All persons completing this course shall develop a personal plan of action to assist them in preventing impaired driving behavior;

(E) *Weekend Intervention Programs (WIP)* which provide specialized intervention and education for repeat offenders or offenders showing signs and symptoms of a significant substance abuse problem. A Weekend Intervention Program shall provide a minimum of twenty (20) program hours conducted over a forty-eight (48)-hour weekend;

(F) *Clinical Intervention Programs (CIP)* which provide intervention, education, and long-term counseling for offenders who are identified through the assessment screening process as having alcohol and/or other substance abuse problems and who are not eligible for traditional residential treatment or traditional intensive outpatient services. A Clinical Intervention Program shall provide fifty (50) hours of therapeutic activity for each offender including two (2) hours of the assessment designated by the department, eight (8) hours of individual counseling, twenty (20) hours of group counseling and twenty (20) hours of group education. Ten (10) of the required fifty (50) hours must specifically address the issue of drinking and driving; and

(G) *SATOP Training Programs* which provide regional training to persons seeking to be recognized and certified by the department as a qualified instructor, qualified substance abuse professional, or administrator within SATOP.

(5) Requirements for Program Certification. SATOP programs shall comply with those rules and standards listed under 9 CSR 30-3.032 Certification of Alcohol and Drug Abuse Programs.

(A) *Rules under 9 CSR 10-7.120 Physical Plant and Safety* shall be applicable based on the type of services provided by the program and whether services are offered to individuals and groups at the program site. In addition:

1. *The program must be located in an office, clinic or other professional setting;*
2. *Assessment screenings must be located in a setting*

which provides space for private, one-on-one interviews and ensures confidentiality. With the department's written approval, assessment screenings may be conducted at other locations on a limited basis, if confidentiality is assured and the individual agrees to a screening at the alternate site.

(B) *Clinical Intervention Programs (CIP) and Youth Clinical Intervention Programs (YCIP)* shall meet standards under 9 CSR 30-3.130 *Outpatient Treatment*, and fulfill contract requirements.

1. *A YCIP shall also meet standards under 9 CSR 30-3.192 Specialized Program for Adolescents.*

2. *The waiver of standards listed in subsection (5)(C) of this rule shall not apply to CIP and YCIP programs.*

(C) *The following rules and standards shall be waived for other types of SATOP programs, unless the department determines that a specific requirement is applicable due to the unique circumstances and service delivery methods of a program:*

1. *9 CSR 10-7.010 Treatment Principles and Outcomes;*

2. *9 CSR 10-7.030 Service Delivery Process and Documentation;*

3. *9 CSR 10-7.060 Behavior Management;*

4. *9 CSR 10-7.070 Medications;*

5. *9 CSR 10-7.080 Dietary Services;*

6. *9 CSR 30-3.100 Service Delivery Process and Documentation (ADA); and*

7. *9 CSR 30-3.110 Service Definitions and Staff Qualifications (ADA).]*

(4) Types of Programs. The department certifies the following types of SATOPs:

(A) *Offender Management Unit (OMU)* – entry point for individuals referred to a SATOP where they are screened by a SATOP Qualified Professional (SQP) and referred to the appropriate education or treatment program;

(B) *Adolescent Diversion Education Program (ADEP)* – basic education for individuals under the age of twenty one (21) who have been charged with or convicted of alcohol- and drug-related driving offenses under Missouri's Abuse and Lose, Minor in Possession, or Zero Tolerance laws;

(C) *Offender Education Program (OEP)* – basic education for first-time adult offenders to assist them in understanding the consequences of alcohol- and drug-impaired driving and identifying strategies to assist in changing their behavior;

(D) *Weekend Intervention Program (WIP)* – specialized intervention services and education for high-risk, first-time offenders and individuals with multiple driving while intoxicated or driving under the influence (DWI/DUI) offenses who are showing signs and symptoms of a substance use disorder with mild to moderate severity;

(E) *Clinical Intervention Program (CIP)* – intensive outpatient treatment for individuals who have multiple DWI/DUI offenses or high-risk, first-time offenders who are showing signs and symptoms of a substance use disorder with moderate severity; and

(F) *Serious and Repeat Offender Program (SROP)* – intensive treatment for individuals who have multiple DWI/DUI offenses and are identified through the screening process as having high-risk, high-need risk factors and a diagnosed substance use disorder.

(5) Requirements for Program Certification. SATOPs must be located in an office, clinic, or other professional setting that allows for private, one-on-one interviews and ensures confidentiality for individuals served. The department must approve program location(s) prior to the delivery of services.

(A) *All SATOPs shall comply with 9 CSR 30-3.032.*

(B) *CIPs and SROPs shall comply with 9 CSR 30-3.130 and*

fulfill department contract requirements.

(C) The following rules are waived for OMUs, OEPs, ADEPs, and WIPs unless the department determines a specific requirement is applicable due to the unique circumstances and service delivery methods of a program:

1. 9 CSR 10-7.030;
2. 9 CSR 10-7.060;
3. 9 CSR 10-7.080;
4. 9 CSR 30-3.100; and
5. 9 CSR 30-3.110.

(6) Other Requirements. In addition to the requirements listed under 9 CSR 30-3.032 [Certification of Alcohol and Drug Abuse Programs], the department [shall] use the following criteria in certifying Substance Abuse Traffic Offender Programs:

(A) The department reserves the right to limit the issuance of SATOP certification in [certain venue] areas of the state [when] where it cannot be determined a need exists for the service [in that venue] and/or [when] it cannot be determined the proposed service will serve the best interest of [SATOP clients] individuals in that [venue] area.

1. Determination of need [shall be] is at the department's sole discretion as the designated state authority responsible for SATOP certification.

2. The determination of need [shall be] is based on applicable data, such as the number of DWI/DUI arrests [within the proposed service area] and the number of currently certified SATOPs [agencies] within the proposed service area[.];

(B) The department must approve any new program site prior to the delivery of SATOP services at the site[. The program must submit photographs and a floor plan indicating accessibility compliance for the proposed sites.]; and

(C) The department reserves the right to deny certification to any SATOP [program] that does not provide a minimum of services [to] for at least fifty (50) persons per year.

(7) [Rehabilitation] Treatment Programs Recognized for SATOP. When the [assessment] screening [indicates the individual's need for treatment and rehabilitation,] results indicate the need for treatment for a substance use disorder, arrangements [should] shall be made for the person to participate in [such] treatment services.

(A) The department [shall] recognize the following types of treatment [and rehabilitation] programs for individuals with an alcohol- and/or drug-related traffic [offenders] offense whose SATOP screening indicates the need for treatment:

1. [Certified Alcohol and/or Drug Treatment and Rehabilitation] Substance use disorder treatment [P]programs certified by the department;
2. [Clinical Intervention Programs (CIPS)]; and
3. [Youth Clinical Intervention Programs (YCIP)] SROPs.

[(B) Clinical Intervention Programs (CIP) and Youth Clinical Intervention Programs (YCIP) must—

1. Meet requirements under 9 CSR 30-3.130 Outpatient Treatment; and
2. Remain in compliance with their contract.]

AUTHORITY: sections 302.540, [577.049 and 577.520, RSMo Supp. 2003 and 577.001, 577.525,] 302.420, 302.425, 302.580, 630.050, 630.053, 630.655, and 631.010, RSMo [2000] 2016, and section 577.001, RSMo Supp. 2017. This rule was originally filed as 9 CSR 30-3.700. Emergency rule filed April 22, 1983, effective May 2, 1983, expired Aug. 11, 1983. Original rule filed May 13, 1983, effective Sept. 11, 1983. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 16, 2018.

PUBLIC COST: This proposed amendment will not cost state agen-

cies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 30—Certification Standards Chapter 3—[Alcohol and Drug Abuse] Substance Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 30-3.202 SATOP Administration and Service Documentation. The department is amending the chapter title and sections (2)–(4), (6), (9)–(11), and (13), deleting sections (1), (8), (9), and (13)–(15), adding new sections (7), (8), and (12), and renumbering as necessary.

PURPOSE: This amendment changes the chapter title, updates administrative procedures and practices, and removes the requirements for program administrator because they are included in department Core Rules for Psychiatric and Substance Use Disorder Treatment Programs which apply to SATOPs.

[(1) Program Administrator. An administrator shall be identified for the program.

(A) The administrator shall be the individual ultimately responsible for the proper operation of the program, regardless of whether the program is operated by a probation department, another agency, or organization.

(B) The administrator must be knowledgeable in the areas of fiscal management, program operation, course scheduling and court referral procedures.

(C) All administrators making application for program certification must meet the educational and experiential requirements as either a qualified instructor, or a qualified substance abuse professional and must have attended approved Substance Abuse Traffic Offender Program (SATOP) administrator training. In the event an administrator is also performing the duties of a Qualified Instructor or Qualified Substance Abuse Professional (QSAP) certification at the appropriate level is required.]

[(2)](1) Access. The program shall be accessible to the public by maintaining reasonable business hours and ready telephone access.

[(3)](2) Admission. [All persons referred by a court or probation and parole shall be accepted for admission. Other individuals may be accepted upon the approval of the administrator.] Substance Abuse Traffic Offender Program (SATOPs) shall accept individuals referred by a court order, condition of probation or parole, or plea bargain who have had their driver's license administratively revoked or suspended for reasons of an alcohol- or drug-related traffic offense. Individuals will be screened by a qualified staff person to determine program placement. Women who are pregnant must be referred to a department-certified women's treatment program for a clinical assessment to determine service

needs.

[(4)](3) Conflict of Interest. An agency which operates probation services, court supervision programs, or *[non-certified counseling programs]* **counseling programs not certified by the department** must keep these functions separate and distinct from *[the]* SATOP *[program]*.

(A) The agency must clearly communicate to *[clients]* **individuals** that completion or the failure to complete these programs will not *[affect their SATOP]* **affect the outcome of their participation in SATOP.**

[(B) Completion of a SATOP at the agency shall not be made a condition of supervision or probation either directly or by inference.]

[(5)](4) [Notice to Clients] Notice to Individuals Served. Written notice shall be provided to *[clients]* **individuals** regarding the cost of the program, dates, times, location, and requirements for successful program completion.

[(6)](5) Attendance Records. Attendance records shall be maintained for each session.

[(7)](6) Receipts. Receipts shall be issued for all *[client money received]* **fees collected from individuals enrolled in a SATOP.**

(7) Program Participation. All SATOPs shall have written policies and procedures which are followed by staff to manage situations in which an individual arrives at a program under the influence of alcohol and/or illegal drugs, is not taking prescription medication(s) as directed, or is detracting from a program due to uncooperative behavior.

(A) A written report of the situation shall be prepared by the staff person(s) involved. The report shall be reviewed by the program administrator who is responsible for determining the individual's continued participation in the program.

(B) A person who has justifiably been denied access or is removed from a program is not considered to have satisfactorily completed the program.

(C) Readmission to a program for an individual who has justifiably been denied access or removed shall be in accordance with the program's policies and procedures. Proactive measures should be taken to assist individuals in reengaging in services and successfully completing a program.

(D) Individuals who continue to actively use alcohol and/or illegal drugs, or do not take prescribed medication as directed while enrolled in a program, may be referred to more intensive services such as detoxification and substance use disorder treatment with residential support. In these instances, the individual may fulfill SATOP requirements by completing a comparable program.

[(8) Behavioral Expectations. The agency shall deny access to any program by a person who arrives under the influence of mood-altering substances and shall remove from any program any person who detracts from the program because of uncooperative behavior.

(A) Program staff shall have the authority to deny access to and remove a client from a program. Testing of blood, breath or urine shall not be required or used in any education program.

(B) A written report of the incident shall be made by the program staff and reviewed by the administrator who shall make a final disposition.

(C) A person who has justifiably been denied access to or removed from a program shall not be considered to have satisfactorily completed the program.

(D) A person who has justifiably been denied access to or

removed from a program shall not be readmitted to that level of service without written approval by the department.

(9) Assessment Recommendation. The program shall have written policies and procedures which stipulate the methods of individualized assessment and the conditions under which referrals are made for further services. The written policies and procedures must follow the guidelines outlined in the current edition of the SATOP Manual and incorporated herein by reference. The written policies and procedures shall address the client's right to a second opinion and procedures for judicial review, if necessary.

(A) An assessment recommendation shall be delivered in writing to the person with written notice that the person is entitled to have this recommendation reviewed by a court pursuant to sections 302.304 and 302.540, RSMo.

(B) A person who objects to the recommendation may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion.]

(8) Screening and Referral Process. Offender Management Unit (OMUs) must have written policies and procedures for conducting individualized screenings and issuing program recommendations based on screening results.

(A) The screening recommendation is provided in writing to each individual at the completion of the screening.

(B) Each individual is informed of their right to a second opinion from an alternative OMU and right to judicial review if he/she objects to the recommendation of the originating OMU. The notice must be in written format and signed by the individual.

1. The following criteria applies to second opinions:

A. The right to a second opinion is forfeited if the individual has enrolled in the originating OMU's recommended program;

B. The alternative OMU must conduct a thorough review of the individual's original screening recommendation and obtain a copy of the SATOP Offender Assignment form from the originating OMU (release of information is not required);

C. The alternative OMU must obtain a current driving record from the Department of Revenue or other reliable source;

D. The individual must pay the screening fee for the second opinion but is not required to pay the supplemental fee; and

E. The OMU issuing the second opinion is the official OMU of record. The OMU is responsible for issuing the screening recommendation to the individual, monitoring the individual's compliance with the recommendation, and notifying the originating OMU to close the individual's record in their program.

(C) An individual who objects to an OMU's screening recommendation may file a petition for review and determination in the circuit court of the county in which the recommendation was made pursuant to sections 302.304 and 302.540, RSMo. The motion must be filed using the printed form provided by the Office of State Courts Administrator, 2112 Industrial Drive, PO Box 104480, Jefferson City, MO 65110.

[(10)](9) Resources and Referrals. *[A current]* All SATOPs shall maintain a resource directory of area self-help groups and substance *[abuse services shall be maintained]* use disorder treatment programs that is readily accessible to individuals being served.

(A) *[A person]* Each individual who receives a recommendation for *[further services]* substance use disorder treatment shall be given *[a list of area agencies which includes all certified programs that offer the recommended level of service.]* a directory of certified treatment programs for the area in which he/she chooses to obtain services. A statement shall be signed by the

individual acknowledging receipt of the directory as well as notice that he/she is not required to obtain recommended services from the same agency that conducted the screening.

[(B) The person shall sign a statement acknowledging receipt of the list. The statement shall also indicate that he or she is not required to obtain recommended services from the same agency that has conducted the individualized assessment.]

[(11)](10) [Consumer Evaluation and Satisfaction] Program Evaluation. All persons participating in a SATOP *[program]* shall be asked to complete a course evaluation. The evaluation process must assure anonymity.

(A) Participants may be encouraged, but not required, to sign the evaluation form.

(B) Evaluations shall be retained by the program for *[two (2) years or until completion of the next certification site survey, whichever is longer]* one (1) calendar year.

[(12)](11) Data Collection. The program shall cooperate with all SATOP quality assurance and data collection requirements regarding the program operation, *[DWI offender]* individual demographics, or other data collection that may be required by the department. *[Failure to submit requested information in a timely fashion may result in administrative sanction or revocation of certification.]*

(12) Organized Record System and Individual Records. All SATOPs must maintain an organized record system which ensures easily retrievable, complete, and usable records. Records must be stored in a secure and confidential manner in accordance with state and federal requirements.

(A) Records required by the department shall be maintained in paper form or electronic medium at the location services are provided or at the provider's address of record with the department.

(B) Copies of records must be provided upon request by the department or its authorized representative(s), regardless of the medium in which they are maintained.

(C) Individual records must be retained for at least six (6) years or until all litigation, adverse audit findings, or both, are resolved regardless of the medium in which they are maintained.

(D) Individual records for OMUs shall include, but are not limited to:

1. Demographic information;
2. Proper signed release of information forms, as applicable;
3. Signed acknowledgement by the individual indicating receipt of—

A. Individual rights, responsibilities, and grievance procedures;

B. Screening recommendation;

C. Notice of option for a second opinion and judicial review;

D. List of referral sources; and

E. Notice that services may be obtained from another provider;

4. Driving record check by the Department of Revenue (if another source is used, provider is responsible for ensuring its reliability);

5. Documentation of an individualized screening including date administered, name and signature of the SATOP Qualified Professional, summary of results including substance use history, and education or treatment recommendation;

6. SATOP Offender Assignment form; and

7. SATOP Completion Certificate (if program was completed).

(E) Individual records for persons enrolled in an education program shall include, but are not limited to:

1. Dates of attendance;

2. Demographic information;

3. Scored pretest(s) and posttest(s) measuring knowledge gain and attitude change;

4. Proper signed release of information forms, as applicable;

5. Signed acknowledgement by the individual indicating receipt of individual rights, responsibilities and grievance procedures, list of referral sources, and notice that services may be obtained from another provider;

6. Results of blood alcohol content (BAC) tests, as applicable;

7. SATOP Offender Assignment form; and

8. SATOP Completion Certificate (if program was completed).

(F) Individual records for persons enrolled in the Clinical Intervention Program and Serious and Repeat Offender Program shall include, but are not limited to:

1. Consent to treatment;

2. Proper signed release of information forms, as applicable;

3. Individual treatment plan;

4. Treatment plan reviews and updates;

5. Continuing recovery plan based upon the principles of recovery and resilience as identified in 9 CSR 10-7.010(7) including at a minimum:

A. Date of next appointment for follow-up services or other supports;

B. Action steps to access personal support system(s) or other resources to assist in continuing his/her recovery, well-being, and community integration or if symptoms recur and additional services/supports are needed;

C. Instructions for safe use of medication(s) as prescribed; and

D. Referral information such as contact name, telephone number, locations, hours, and days of services, when applicable;

6. Discharge plan that includes, but is not limited to:

A. Admission date;

B. Reason for admission;

C. Referral source;

D. Reason for or type of discharge;

E. Date of discharge;

F. Description of services provided and the extent to which established goals and objectives were achieved;

G. Recommendations for continued services and supports;

H. Medical status and information on medication(s) prescribed or administered, when applicable; and

I. Signature of staff completing the plan.

[(13) Master List of Clients. An agency shall keep a master list of all clients who have been admitted or enrolled in its SATOP program(s) to include: name, dates of attendance, program type and whether the client successfully completed the program.

(14) Client Records. An organized record shall be maintained on each person who participates in a SATOP program.

(A) Records shall be stored in a manner to protect confidentiality.

(B) Records shall be retained for at least two (2) years or until completion of the next site survey, whichever is longer. However, if the agency is contracted with the department, the contract requirements for retaining records shall prevail.

(15) Content of Client Records. Each client record shall include:

(A) Dates of attendance;

(B) Demographic information sufficient to complete the division's annual report form;

(C) Scored pretests and posttests measuring knowledge gain and attitude change;

- (D) Proper, signed release of information forms;
- (E) Department of Revenue driving record;
- (F) Documentation of an individualized assessment screening, where required. The documentation shall include the name of the qualified substance abuse professional, date, amount of time spent, summary of the screening instrument results which includes a substance use history, summary of findings, recommendation, and student's response to the recommendation;
- (G) Where applicable, signed acknowledgment of receiving an assessment screening recommendation, a list of referral resources, and notice that any additional services may be received from a different provider;
- (H) Copy of the SATOP Offender Assignment, Report of Offender Compliance, and the SATOP Completion Certificate;
- (I) Program evaluation completed by the client.]

[[16]](13) Additional [Client] Record Requirements for the **Adolescent Diversion Education Program (ADEP)**. For [Adolescent Diversion Education Program (ADEP) clients] **individuals participating in the ADEP** who are under the age of eighteen (18) and are not emancipated, there shall be documentation showing—

- (A) Efforts to involve the parent or guardian in the program;
- (B) Results of the efforts, that is, whether the parent or guardian participated and the extent of participation; and
- (C) Where applicable, the parent or guardian's view of substance use patterns and possible effects on family, social, legal, emotional, physical, financial, educational, and vocational functioning.

[[17]](14) Compliance. Failure to adhere to the stipulations, conditions, and the requirements set forth in this rule shall be considered cause for revocation or denial of program certification.

AUTHORITY: sections 302.304, 302.540, [577.049, and 577.520, RSMo Supp. 2003 and 577.001, 577.525,] 302.420, 302.425, 302.580, 630.050, 630.053, 630.655, and 631.010, RSMo [2000] 2016, and section 577.001, RSMo Supp. 2017. This rule was originally filed as 9 CSR 30-3.730. Original rule filed Nov. 2, 1987, effective May 15, 1988. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Feb. 16, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the **Missouri Register**. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 3—[Alcohol and Drug Abuse] Substance Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 30-3.204 SATOP Personnel. The department is amending

the chapter title, the purpose, and sections (3) and (4), deleting old sections (1)–(3), adding new sections (1) and (2), and renumbering as needed.

PURPOSE: This amendment changes the chapter title, removes division certification and training requirements for Substance Abuse Traffic Offender Program (SATOP) staff because this function has been transferred to an outside entity, adds credentialing of SATOP staff by the Missouri Credentialing Board, and updates outdated terminology.

PURPOSE: This rule describes the personnel policies[,] and staff qualifications [and training requirements in] for Substance Abuse Traffic Offender Programs and establishes specific policies and procedures for the revocation or suspension of [certified] **credentialed** personnel.

[[1]] **Qualifications of Staff.** The program shall have qualified staff.

(A) Assessments shall be done by qualified substance abuse professionals.

(B) Educational activities shall be done by qualified substance abuse professionals or by qualified instructors.

(C) A qualified instructor is a graduate of an accredited college or university with a bachelor's degree in counseling, criminal justice, education, psychology, social work or closely related field who is knowledgeable about substance abuse, as evidenced by—

1. Nine (9) semester hours directly related to substance abuse;
2. One hundred forty-four (144) contact hours of continuing education directly related to substance abuse; or
3. One (1) year of full-time paid employment experience in the prevention, treatment or rehabilitation of substance abuse. Applicability of full-time experience shall be defined in the SATOP Personnel Training and Certification Information Guide.

(D) A person designated as a Recognized Alcohol and Substance Abuse Counselor II (RASAC II) by the Missouri Substance Abuse Counselors' Certification Board, Inc. may be granted qualified instructor status.

(E) Staff who conduct education and assessment, must—

1. Not have had a suspension or revocation of their drivers' licenses within the preceding two (2) years;
2. Not have received a citation or have been charged with any state or municipal alcohol- or drug-related offense within the preceding two (2) years, except when found not guilty in a court of competent jurisdiction;
3. Not have allowed the use of alcohol or other drugs to interfere with the conduct of their SATOP duties;
4. Successfully complete SATOP training offered or approved by the division;
5. Meet criminal record review requirements specified in 9 CSR 10-5.190.; and
6. Be certified by the division prior to their employment as meeting requirements as a qualified instructor or qualified substance abuse professional.

(2) **Certification of Staff.** Individuals certified by the division shall continue to meet all applicable standards and requirements as a condition of their certification.

(A) The division may issue certification for a maximum of three (3) years.

(B) Renewal of certification may be obtained by submitting a satisfactorily completed application for certification and verification of a total of fifteen (15) hours of continuing education or training in the substance abuse field during the prior certification period. Continuing education or training

must address prevention, education, or specific counseling techniques directly related to the drinking driver or persons with substance abuse problems. A sixty dollar (\$60) renewal fee must accompany the renewal application.

(C) Any administrator of a certified education program or related rehabilitation program and any individual certified by the division has the duty to report the suspected failure of any individual to meet applicable standards and requirements.

(D) Complaints or allegations against individuals working in SATOP programs that the division may investigate include, but are not limited to:

1. Failure to meet personnel requirements under this rule;
2. Violations of client rights under 9 CSR 30-3.202;
3. Fraudulent or false reporting to the division, Department of Revenue, courts or other agency;
4. Performance of duties for which the individual is not certified;
5. Conviction, plea of guilty or suspended imposition of sentence for any felony or alcohol- or drug-related offense; and
6. Failure to cooperate in any investigation by the division.

(E) The division may reprimand, suspend or revoke the certification of any individual who fails to meet standards and requirements or who fails to report suspected violations of those standards and requirements.

(F) Suspension or revocation of certification may be appealed to the director of the Department of Mental Health within thirty (30) days after receiving notice of that action. The director shall conduct a hearing under procedures set out in Chapter 536, RSMo and issue findings of fact, conclusions of law and a decision which shall be final. If the suspension or revocation involves an allegation of client abuse or threat toward client safety, the department may make a determination to remove the staff person from direct client contact until the hearing is conducted and a disposition is made by the hearing officer.

(G) An individual whose certification has been revoked cannot reapply for certification until two (2) years have lapsed. The department's review of a future application will take into consideration the circumstances which led to revocation.

(3) **SATOP Training.** Staff with responsibilities for the administration, education or assessment functions of the program, or a combination of these, shall complete a training program offered or approved by the division. Staff may be employed in more than one (1) type of program, when training specific to each type has been completed and the staff member has been appropriately certified by the division.]

(1) **Qualifications of Staff.** Staff must have specialized training in providing services for individuals who have been arrested for an alcohol- and/or drug-related traffic offense.

(A) Staff must be credentialed by the Missouri Credentialing Board, 428 E. Capitol Avenue, 2nd Floor, Jefferson City, MO 65101, and must meet the designated requirements prior to the delivery of services. Substance Abuse Traffic Offender Program (SATOP) credentials include:

1. SATOP Qualified Professional (SQP); and
2. SATOP Qualified Instructor (SQI).

(B) SATOP screenings shall be conducted by a SQP.

(C) Treatment services shall be provided by a SQP or Qualified Addiction Professional.

(D) Education services shall be provided by a SQP or SQI.

(E) Staff who administer screenings and provide education and

treatment services shall:

1. Not have a suspension or revocation of their driver's license within the preceding two (2) years of administering screenings or providing education and treatment services. Verification of staff driving records shall be completed annually and maintained in personnel records;

2. Not have received a citation or been charged with any state or municipal alcohol- or drug-related offense within the preceding two (2) years of administering screenings and providing education and treatment services, except when found not guilty in a court of competent jurisdiction;

3. Not have allowed the use of alcohol, illegal drugs, or misuse of prescription medications to interfere with the conduct of their SATOP job duties;

4. Successfully complete SATOP training offered or approved by the department; and

5. Meet background screening requirements specified in 9 CSR 10-5.190.

(2) **Reporting Requirements.** Administrators and staff of a certified SATOP have the duty to report to the department the suspected failure of any individual to meet applicable program standards and requirements.

(A) Complaints or allegations which must be reported to the department include:

1. Failure of a SATOP to meet personnel requirements under this rule;

2. Violations of individual rights under 9 CSR 10-7.020;

3. Fraudulent or false reporting to the department, Department of Revenue, courts, or other entity;

4. Performance of duties for which an individual is not appropriately credentialed;

5. Conviction, plea of guilty, or suspended imposition of sentence for any felony or alcohol- or drug-related offense;

6. Failure to cooperate in any investigation by the department or authorized by the department;

7. Abuse, neglect, or misuse of funds/property in accordance with 9 CSR 10-5.200; and

8. Offenses considered disqualifying crimes under section 630.170 RSMo.

[[4]](3) **Guest Speakers [and Volunteers].** A program which utilizes guest speakers [or volunteers] shall have written policies and procedures for their recruitment, selection, training, supervision, dismissal, and compensation[, where applicable].

(A) The program shall maintain a roster of all approved guest speakers [or volunteers] and a description of the duties or tasks of each.

(B) Guest speakers [shall not be] are not considered instructors for the purpose of these rules.

(C) At no time shall a guest speaker [or volunteer] assume sole responsibility for [the] a class.

[[5]](4) **Compliance.** Failure to adhere to stipulations, conditions, and requirements set forth in this rule shall be considered cause for revocation or denial of program certification.

AUTHORITY: sections 302.540, [577.049 and 577.520, RSMo Supp. 2003 and 577.001, 577.525,] 302.420, 302.425, 302.580, 630.050, 630.053, 630.655, and 631.010, RSMo [2000] 2016, and section 577.001, RSMo Supp. 2017. This rule was originally filed as 9 CSR 30-3.750. Original rule filed Nov. 2, 1987, effective May 15, 1988. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 16, 2018.

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

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

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Title 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 3—[Alcohol and Drug Abuse] Substance Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 30-3.206 SATOP [Program] Structure. The department is amending the chapter, rule title, and purpose, deleting sections (1)–(32), and adding new sections (1)–(15).

PURPOSE: This amendment changes the chapter title, changes the rule title to more accurately reflect its contents, reorganizes the order of the rule to improve readability, and updates outdated terminology.

PURPOSE: This rule establishes basic requirements and structure for Substance Abuse Traffic Offender Programs, including the [assessment] screening and referral process and fee structure.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

[(1) Program Functions. The program shall provide education, assessment screening and recommendation and, where appropriate, referral for further services.

(A) A program which provides assessment screening must also provide Offender Education Program (OEP) services.

(B) A person may request and attend any program operated by a different agency due to reasonable circumstances, such as distance, work schedule or other time factors.

(C) A separate amount paid by the client shall cover the assessment screening in addition to the cost of the program.

(2) Assessment Screening Process. All persons referred to Substance Abuse Traffic Offender Programs shall, prior to attending the education or rehabilitation program, receive an individualized assessment screening. The assessment screening is a process by which individuals are evaluated and recommended to the most appropriate level of service, either education or intervention or treatment, based on criteria established by the department and the clinical judgement of the qualified substance abuse professional. The assessment screening process shall include:

(A) Demographic data collection;

(B) A standardized screening instrument;

(C) A face-to-face individualized assessment screening

interview;

(D) A legible hand-printed or typewritten screening report;

(E) Completion of the SATOP Offender Assignment form and, when requested, a narrative report to the court;

(F) Completion of the SATOP Completion Certificate to the court; and

(G) Minimal case coordination, when appropriate, to coordinate with the courts, probation and parole, or the Department of Revenue (DOR) to verify that education, rehabilitation and treatment recommendations have been completed.

(3) Components of Assessment Screening. The assessment screening by the certified program shall follow basic guidelines established by the department.

(A) All clients shall complete a valid and reliable screening instrument approved by the department to identify problem users. The screening instrument shall be standardized, consistent statewide, and interpreted by certified qualified substance abuse professionals who are properly supervised and trained in the use of the screening device.

(B) All clients shall have an individualized assessment screening interview conducted by a qualified substance abuse professional.

1. The individualized assessment screening shall determine the extent of the problem (or lack of a problem) and the level or type of rehabilitation or education services needed.

2. The assessment screening shall include, but not be limited to, a screening instrument summary including a substance use history, prior treatment history, summary of findings and a recommendation for either education or rehabilitation based on minimum referral guidelines.

3. The assessment screening report shall be accompanied by a DOR driving record and blood alcohol content (BAC) at time of arrest.

4. Collaborative information, such as previous treatment information and contacting significant others, may be obtained with proper authorization when appropriate.

5. The assessment screening shall be valid for six (6) months after the date of the initial screening for each alcohol- or drug-related traffic offense. The client must enroll in the assigned education or treatment program within six (6) months of the initial screening. The client's record may be closed after the six (6)-month period expires if the client has been notified by mail or by phone at least thirty (30) days prior to the closing. The notification must be documented in the client's record.

(4) Quality Recommendations. The program must develop assessment screening recommendations that are—

(A) Impartial and solely based on the needs of the offender and the welfare of society; and

(B) Never be used as a means of case finding for any particular rehabilitation program or as a marketing tool for any SATOP program.

(5) Referral Guidelines. The program must base the assessment screening recommendation for each person on the following referral guidelines:

(A) 1st Offense—(OEP/ADEP) education unless a more intense program is indicated by such factors as the blood alcohol content at the time of arrest, other alcohol/drug related arrests, screening instrument recommendations, prior alcohol/drug treatment, or other occupational, relationship, or medical problems;

(B) 2nd offense—(WIP) unless a more intense program is indicated by such factors as the blood alcohol content at the

time of arrest, other alcohol/drug-related arrests, screening instrument recommendations, prior alcohol/drug treatment, or other occupational, relationship, or medical problems;

(C) 3rd offense—Clinical Intervention Program (CIP) unless a more intense program is indicated by such factors as the blood content at the time of arrest, other alcohol/drug-related arrests, screening instrument recommendations, prior alcohol/drug treatment, or occupational, relationship, or medical problems; and

(D) Multiple offenses with substance dependence—Residential treatment, day treatment or hospitalization. The treatment programming at this level must meet or exceed one hundred sixty (160) continuous hours per treatment episode. Offenders presenting for SATOP services having multiple alcohol- or drug-related traffic offenses with substance dependence may be court ordered to this level. Other SATOP clients may voluntarily admit themselves to treatment facilities provided they meet the appropriate admission criteria for substance dependence.

(E) Exceptions to these referral guidelines shall be permitted with departmental approval.

(F) Persons with a serious mental illness should have their mental health treatment needs addressed before completing any SATOP recommendation. A mental health evaluation should be arranged for those clients identified with serious emotional or mental health problems during the SATOP assessment screening process. In order to promptly arrange the mental health evaluation, a SATOP conducting assessments screenings must maintain a formal affiliation agreement with either a certified or accredited mental health program or a licensed mental health practitioner. The client may resume SATOP participation upon stabilization of the problem as determined by the client's mental health provider.

(6) Assessment Screening Cost. The cost of the assessment screening, along with the supplemental fee, approved by the department, shall be borne by the client and should not be excessively greater than relative costs indicate and shall include the costs for any case coordination functions necessary to—

(A) Monitor the client's progress in either education or a treatment and rehabilitation program; and/or

(B) Coordinate with the courts, or probation and parole.

(7) Notice of Program Assignment and Completion. The agency shall provide a SATOP Offender Assignment form, a SATOP Completion Certificate, and, where applicable, a Notice of Offender Compliance. The SATOP Completion Certificate shall be issued within one (1) week of receiving the Notice of Offender Compliance in the event the offender received the education course at another agency.

(A) A referring court or probation and parole office shall be sent a SATOP Offender Assignment form within one (1) week of the assessment screening and a SATOP Completion Certificate within one (1) week of program completion.

(B) A copy of the Notice of Offender Compliance form shall be sent to the Offender Management Unit within seven (7) days of an individual's participation in a program.

(C) The Department of Revenue shall be sent a SATOP Completion Certificate within one (1) week of program completion, when applicable.

(D) A copy of the SATOP Offender Assignment form and the Notice of Offender Compliance form shall be sent to the Department of Mental Health.

(E) A copy of the SATOP Offender Assignment form and the SATOP Completion Certificate shall be given to the individual and, where applicable, to the parent or guardian.

(8) Prior and Persistent Offenders. The department shall recognize three (3) types of treatment and rehabilitation programs for prior or persistent substance abuse traffic offenders.

(A) As used in SATOP rules, the terms prior and persistent offender shall mean—

1. Prior offender, a person who has a prior history of one (1) intoxication related traffic offense committed within five (5) years of the most recent offense for which the person is charged; and

2. Persistent offender, a person who has a prior history of three (3) or more intoxication related traffic offenses committed at different times within ten (10) years of a previous alcohol and/or drug related traffic offensive conviction.

(B) The following types of treatment and rehabilitation programs shall be recognized for prior or persistent offenders:

1. Clinical Intervention Program (CIP); and

2. Youth Clinical Intervention Program (YCIP); and

3. Certified Alcohol and/or Drug Treatment and Rehabilitation Programs.

(9) Criteria for Comparable Programs for Persons Domiciled in Missouri. Persons domiciled in Missouri must complete a Missouri SATOP or Missouri comparable program. When the assessment screening process indicates and if the person is eligible, a certified or recognized accredited alcohol and drug treatment and rehabilitation program may provide services for offenders. In order to be recognized by SATOP as minimally complying with SATOP requirements, the offender must have written verification from a certified or recognized accredited treatment and rehabilitation program that he or she has participated in and successfully completed a minimum of one hundred twenty (120) hours of treatment during a period of no less than thirty (30) calendar days. Documentation of completion of a comparable program must be documented by the provider of treatment services on the department approved form. Services shall include the following:

(A) A minimum of forty (40) hours of individual and/or group counseling; and

(B) The remaining hours must include any combination of the following: driver related education, individual counseling, group education, group counseling, and family therapy.

(C) Individuals who complete approved programs at recognized treatment and rehabilitation programs may present documentation of such completion to an OMU. A subsequent SATOP screening is not required. The OMU will complete the Notice of Offender Assignment, Notice of Offender Compliance and SATOP Completion Certificate for those individuals. A supplemental fee must be collected for these individuals.

(D) Individuals who complete approved programs outside of the state of Missouri may submit a SATOP Comparable Program Completion Form to the Department of Mental Health. Upon approval of the program, notification will be provided to the Department of Revenue that the program has met SATOP requirements for license reinstatement.

(10) Criteria for Comparable Programs for Persons Domiciled Outside of Missouri. When the assessment screening process indicates, and if the person is eligible, a certified or recognized accredited alcohol and drug treatment and rehabilitation program may provide services for offenders. In order to be recognized by SATOP as minimally complying with SATOP requirements, the offender must have written verification from a certified or recognized accredited program that an assessment was conducted and the offender participated in and successfully completed the recommended level of service that would satisfy the requirements of

that state or jurisdiction for a person convicted of a substance abuse traffic offense in that state or jurisdiction.

(11) *Cost of Treatment.* The client, including those participating in comparable programs, shall be responsible for all costs related to the completion of the treatment and rehabilitation programs referenced in or required by this rule.

(A) All clients shall be required to pay an initial base amount determined by the department before applying the department's Standard Means Test in accordance with 9 CSR 10-1.016.

(B) The client shall be responsible for all costs related to treatment which are not reimbursed through a third-party payer or the department's Standard Means Test process.

(C) Programs may develop long-term payment plans to reasonably assist the client in paying off any outstanding balances.

(12) *Cost of SATOP.* The cost for SATOP program shall be determined and approved by the department and shall be paid by the client and shall cover the cost of the program. Programs may not charge clients fees which are not specifically outlined in the agreement or contract with the department unless prior authorization is granted.

(13) *Hours of Participation.* The (OEP/ADEP) program shall provide at least ten (10) hours of education. The (WIP) program shall provide at least twenty (20) hours of education and intervention services.

(14) *Curriculum Guides.* The OEP program shall be conducted in accordance with the current edition of the OEP Missouri Curriculum Guide. The ADEP program shall be conducted in accordance with the current edition of the ADEP Missouri Curriculum Guide. The WIP program shall be conducted in accordance with the current edition of the WIP Missouri Curriculum Guide. A program must specifically request and obtain approval from the division before deviating in any manner from the content and methods in the applicable Missouri Curriculum Guide as incorporated herein by reference.

(15) *Meals and Breaks.* Ample time shall be provided for breaks and meals where appropriate.

(A) No class shall continue for more than two (2) hours without a break.

(B) The time for breaks shall not be counted toward the required hours of education.

(C) Break time should not exceed more than five (5) minutes per classroom hour of education.

(D) Break time should not be used at the beginning or the end of the classroom session.

(16) *Length of Educational Sessions.* The OEP/ADEP education component shall be conducted in at least two (2) calendar days.

(A) No OEP/ADEP session shall last more than six (6) hours, not including breaks.

(B) No session may begin before 8:00 a.m. or end after 11:00 p.m.

(17) *Use of Instructional Aids.* Instructional aids shall be utilized.

(A) Aids may include, but are not limited to, films, videotapes, worksheets and informational handouts.

(B) Films and videotape shall not comprise more than twenty percent (20%) of the educational component. Audiovisual instructional aids must—

1. Produce a clear image when projected on a clear surface;

2. Utilize a television monitor at least twenty-five inches (25") in diameter;

3. Utilize high quality videotapes or films; and

4. Allow all participants to have an unobstructed view.

(18) *Guest Speakers.* Use of guest speakers shall not comprise more than twenty percent (20%) of the educational component.

(19) *Maximum Number of Persons in Educational Sessions.* Program size shall provide an opportunity for client participation.

(A) It shall be usual and customary practice for each OEP/ADEP educational session to have no more than thirty (30) clients in order to promote discussion and participation.

(B) Parents, guardians or significant others who may attend a session or part of a session are not included in the figure of thirty (30) clients.

(20) *Criteria for Successful Completion of SATOP Programs.* Successful completion requires that the client shall—

(A) Be free of the influence of mood-altering substances at every session;

(B) Attend all sessions on time;

(C) Attend sessions in their proper sequence unless the instructor approves an alternate sequence;

(D) Complete all assignments and cooperatively participate in all class activities;

(E) Pay all fees; and

(F) Complete and sign all required forms.

(21) *WIP Requirements.* In addition to the basic requirements for OEP/ADEP programs, WIP programs shall—

(A) Be conducted in accordance with the applicable Missouri Curriculum Guide for WIP;

(B) Be conducted in a supervised environment approved by the division during a forty-eight (48)-hour weekend;

(C) Provide a minimum of twenty (20) hours of education and intervention;

(D) Provide meals and appropriate sleeping arrangements.

1. Sleeping arrangements should not exceed four (4) persons per room. Waivers for sleeping arrangements may be granted in some instances for programs operated through correctional or detention facilities;

2. Agencies must provide documentation that individuals preparing or handling meals for the Weekend Intervention Program meet state, county, or city regulations related to the handling of food;

(E) Conduct small group breakout discussion and intervention sessions which shall be facilitated by at least one (1) qualified substances abuse professional per twelve (12) clients. In the event two (2) professional staff co-facilitate a small group, one (1) of the staff may be a qualified instructor or an associate counselor if the group size does not exceed twenty-four (24) clients;

(F) Not exceed thirty (30) clients per staff member in large group education lectures and films;

(G) Conduct a medical screening on each participant using the DMH 8618 Non-Emergency Medical Evaluation Checklist; and

(H) Complete a comprehensive assessment on each participant including a legal, social, occupational, physical, psychological, financial, and alcohol/drug problem assessment.

(22) *WIP Drug Testing.* WIP programs may use breath or urine testing when alcohol or other drug usage is suspected,

but cannot otherwise be verified, during the course of the WIP weekend. A written report of the incident shall be made by the WIP staff and reviewed by the WIP program director who will make the final decision as to the client suitability for continuation in the program. Random breath or urine testing shall not be used.

(23) *WIP Cost.* The cost of the WIP may be partially offset for some clients by the department, provided funds are available and the person is in need of assistance by meeting the eligibility criteria based on the department's Standard Means Test. These offenders shall be required to pay the basic cost of SATOP in addition to any partial offset towards the cost of the WIP program.

(24) *Review and Approval of Costs.* The cost for all SATOPs programs approved by the department shall be periodically reviewed and adjusted, if necessary, based on the best interests of clients, society and the programs.

(25) *Certification of SATOP Training Programs.* The department shall certify regional training programs. A certified training program must:

- (A) Provide all of the basic core functions of SATOP;
- (B) Develop an individualized training plan for each person in training;
- (C) Assign a trainer to each person in training;
- (D) Provide the opportunity for direct program observation of each program activity by each person in training; and
- (E) Maintain full compliance with certification standards.

(26) *Training Content.* Training shall include, but not be limited to, the following:

- (A) Review of certification standards;
- (B) Basic agency management;
- (C) Characteristics of DWI offenders;
- (D) Assessment procedures including the individualized interview and use of the screening instruments;
- (E) The principles and techniques of classroom management;
- (F) The principles and techniques of adult learning;
- (G) Orientation to the appropriate curriculum guide;
- (H) Review of the referral process and treatment resources;
- (I) SATOP personnel requirements; and
- (J) Professional ethics.

(27) *Program Observation Required.* Training shall include direct observation of a program conducted by a qualified trainer at a certified training program. The term qualified trainer is used to describe a qualified substance abuse professional who has experience in providing two hundred forty (240) hours of ADEP, OEP or WIP.

(28) *Written Examination.* Certified staff shall complete a written examination and demonstrate the knowledge necessary to conduct the Alcohol and Drug Education Program (ADEP) or the appropriate Substance Abuse Traffic Offender Program (SATOP).

(29) *Cost of Training.* The cost of training shall be determined and approved by the department. For each trainee who successfully completes the applicable training requirements, including payment of training cost, the training program shall notify the department within ten (10) days of the successful completion.

(30) *Availability of Training.* Training must be accessible to all trainees on a regular and ongoing basis. The training pro-

gram shall have the capability to admit each applicant within thirty (30) days after the applicant's initial request for training.

(31) *Termination of a Training Program.* The training program or the department may terminate the training program by giving ninety (90) days written notice to the other party.

(32) *Compliance.* Failure to adhere to the stipulations, conditions, and requirements set forth in this rule shall be considered cause for revocation or denial of program certification.]

(1) **Assessment Process and Program Assignment.** Offender Management Units (OMU) are the designated entry point for individuals referred to a Substance Abuse Traffic Offender Program (SATOP).

(A) All OMUs must be certified by the department to provide the Offender Education Program. Substance use disorder treatment programs that are contracted by a DWI court to serve serious and repeat offenders are excluded from this requirement.

(B) All individuals are screened at the OMU by a SATOP Qualified Professional (SQP). The SQP assigns the individual to an education or treatment program based on screening results, department referral criteria, and his/her professional judgment.

(C) The OMU issues a SATOP Offender Assignment form to each individual at the completion of the screening.

(D) Individuals are not required to fulfill their SATOP requirement with the OMU that conducted his/her screening. Individuals may request to attend a program based on circumstances such as distance, work schedule, or other factors. The originating OMU shall provide each individual with the contact information for certified SATOPs in his/her chosen location in order to select a service provider.

(E) The OMU provides a referring court or probation and parole office with a copy of the SATOP Offender Assignment form, upon request, and with proper release of information from the individual.

(2) **Assessment Process.** A SQP shall conduct a screening for each individual who presents to the OMU to determine his/her service needs. Screening recommendations are impartial and based solely on the needs of the individual and the welfare of society.

(A) The screening process includes, but is not limited to:

1. Collection of basic demographic information;
2. Completion of the 2013 edition of the *Driver Risk Inventory-2 (DRI-2)* published by and available from Behavior Data Systems, PO Box 44256, Phoenix, AZ 85064-4256. The document incorporated by reference does not include any later amendments or additions;
3. A face-to-face interview with the SQP, including information related to any previous substance use treatment;
4. A written summary of findings and program assignment;
5. Driving record report from the Department of Revenue or other reliable source;
6. Blood alcohol content (BAC) at time of arrest and/or toxicology results, if available; and
7. Completion of the SATOP Assignment Form and, when required, a narrative report to the court with release of information from the individual.

(B) Coordination with the courts, probation and parole, Department of Revenue, or other entities shall be provided, as necessary, to verify service recommendations are understood by all parties.

(C) Individuals who have a serious emotional disorder or serious mental illness which may interfere with his/her participation in SATOP shall be referred to a qualified mental health professional for an evaluation. Participation in SATOP may be delayed until the individual's mental health needs are evaluated and necessary services are obtained.

1. The OMU shall maintain an affiliation agreement or memorandum of understanding with a certified community mental health center or a licensed mental health professional in order to promptly coordinate mental health services.

(D) Individuals shall receive written notification from the OMU that the screening is valid for six (6) months from the date of completion and payment for a second screening will be required if the six- (6-) month time period lapses prior to engagement in the assigned level of service, unless—

1. A motion for judicial review has been filed, or;

2. A second opinion from an alternate OMU is obtained prior to the end of the six- (6-) month period.

(E) Individual records may be closed after the six- (6-) month period expires unless a motion for judicial review or second opinion applies.

(3) Program Referral Guidelines. The SQP shall base program assignment on his/her professional judgment, screening results, and referral guidelines established by the department, as follows:

(A) 1st Offense—Offender Education Program (OEP) or Adolescent Diversion Education Program (ADEP) unless a more intense program is indicated by factors such as blood alcohol content at time of arrest, other alcohol- or drug-related arrests, results of the DRI-2, prior treatment for a substance use disorder, or occupational, relationship, medical, or other issues;

(B) 2nd offense—Weekend Intervention Program (WIP) unless a more intense program is indicated by factors such as blood alcohol content at the time of arrest, other alcohol- or drug-related arrests, results of the DRI-2, prior treatment for a substance use disorder, or occupational, relationship, medical, or other issues;

(C) 3rd offense—Clinical Intervention Program (CIP) unless a more intense program is indicated by factors such as blood alcohol content at the time of arrest, other alcohol- or drug-related arrests, results of the DRI-2, prior treatment for a substance use disorder, or occupational, relationship, medical, or other issues;

(D) Prior and Persistent Offender—Serious and Repeat Offender Program (SROP). Individuals who have a BAC of 0.15 or greater at time of arrest, two (2) or more arrests for driving under the influence of alcohol or drugs with administrative action by the Department of Revenue, and meet diagnostic criteria for a substance use disorder, thereby meeting the statutory definition as a prior or persistent offender, shall be referred to intensive treatment.

1. As used in these SATOP rules, the terms prior and persistent offender mean—

A. Prior offender, a person who has pleaded guilty to or has been found guilty of one (1) intoxication-related traffic offense, where such prior offense occurred within five (5) years of the occurrence of the intoxication-related traffic offense for which the person is charged;

B. Persistent offender, a person who has pleaded guilty to or has been found guilty of two (2) or more intoxication-related traffic offenses; a person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to section 565.024.1(2) or (3), RSMo; assault in the second degree pursuant to section 565.060.1(4), RSMo; assault of a law enforcement officer in the second degree pursuant to section 565.082.1(4), RSMo;

(E) Exceptions to these referral guidelines require prior approval from the department.

(4) OEP and ADEP Requirements. The OEP and ADEP are designated for individuals with a first-time alcohol- or drug-impaired driving offense. Educational sessions and discussions focus on helping individuals assess his/her personal responsibility related to alcohol- and drug-impaired driving.

(A) OEPs and ADEPs must maintain a contract with the department and conduct the respective program in accordance

with the 2017 edition of the *OEP Missouri Curriculum Guide* or the 2014 edition of the *ADEP Missouri Curriculum Guide* produced by The Change Companies, 5221 Sigstrom Dr., Carson City, NV 89706. Prior approval from the department is required to alter the content and methods in the curriculum guides incorporated herein by reference. The referenced guides do not include any later amendments or additions.

(B) At least ten (10) hours of education and discussion must be provided to individuals over a period of at least two (2) calendar days. Sessions shall not exceed six (6) hours per day (excluding breaks) and should begin and end at times that are accessible for participants. No more than twenty percent (20%) of the educational component may consist of electronic media/audiovisual aids.

(C) Program size must ensure the opportunity for participation from individuals in attendance. Group sessions are limited to thirty (30) individuals. Parents, guardians, or other natural supports who attend a session or part of a session are not included in the limit of thirty (30) individuals.

(D) Prior to successful program completion, each individual must develop a personal plan of action to assist them in preventing alcohol- and drug-impaired driving behavior in the future.

(5) WIP Requirements. The WIP is designated for individuals with a second alcohol- or drug-impaired driving offense and those identified through the SATOP screening as being a high risk, first-time driving while intoxicated or driving under the influence (DWI/DUI) offender.

(A) WIPs must maintain a contract with the department and conduct the program in accordance with the 2017 edition of the *WIP Missouri Curriculum Guide* produced by The Change Companies, 5221 Sigstrom Dr., Carson City, NV 89706. Prior approval from the department is required to alter the content and methods in the curriculum guide incorporated herein by reference. The referenced guide does not include any later amendments or additions.

(B) The WIP is an intensive education program conducted during a forty-eight (48) hour weekend in a supervised and structured location approved by the department. Sessions shall begin and end at times that are accessible for participants.

(C) The program requires a minimum of twenty (20) hours of combined individual counseling and group education and discussion that assists individuals in assessing their personal responsibility related to alcohol- and drug-impaired driving and taking proactive steps to prevent future occurrences of impaired driving.

1. Individual counseling shall be provided by a SQP.

2. Small group discussions shall be facilitated by at least one (1) SQP or QAP per twelve (12) participants. In the event two (2) staff co-facilitate a small group, one (1) of the staff may be a SATOP Qualified Instructor or an Associate Alcohol Drug Counselor if the group size does not exceed twenty-four (24) individuals.

3. Group education sessions shall not exceed thirty (30) individuals per staff member, including lectures and audiovisual presentations. Group education shall be conducted by a SQP or SQL.

(D) Meals and snacks shall be provided for individuals participating in the WIP at times comparable to normal meal times in the community. Preparation and management of meals and snacks must meet applicable state, county, and/or city health regulations.

(E) Instructional aids shall be incorporated into education sessions to enhance understanding and promote discussion and interaction among participants. Aids may include, but are not limited to, DVD's or other electronic media, worksheets, and informational handouts and shall not comprise more than twenty percent (20%) of group education sessions.

(F) Guest speakers may be utilized in education sessions but shall not comprise more than twenty percent (20%) of the educational component of the program.

(6) CIP Requirements. The CIP addresses the needs of high-risk first and second-time DWI/DUI offenders, third-time offenders, and individuals identified during the SATOP screening process as meeting diagnostic criteria for a substance use disorder or being at risk for a substance use disorder. Services focus on substance use disorders and the resolution of problems related to substance use and the individual's drinking and driving behavior.

(A) CIPs must maintain a contract with the department and comply with 9 CSR 30-3.130.

(B) A SQP or QAP shall utilize a department-approved instrument to administer a comprehensive assessment for each individual admitted to the program.

1. Assessment results shall be utilized to develop an individual treatment plan. Treatment plan reviews and updates shall be conducted as specified in 9 CSR 30-3.100.

2. Family members and/or other natural supports shall be involved in the development of the individual treatment plan, as appropriate and allowable. The reason(s) for non-participation of family members/natural supports shall be documented in the individual record.

(C) Each individual admitted to a CIP must complete fifty (50) hours of therapeutic, structured activities through a combination of individual and group counseling and group education in accordance with contract requirements. Services and activities must be accessible to individuals who are employed, in school, have family/childcare responsibilities, or other obligations.

(D) The CIP is intended to be completed over a six (6) to eight (8) week time period and should not be completed in less than (3) weeks nor extend beyond six (6) months. The actual time period for completion of the program is based on individual needs.

(E) Individual and group counseling sessions must be facilitated by a Qualified Addiction Professional or SQP. Group counseling sessions are limited to twelve (12) individuals per staff member. In order to accommodate individuals in accessing services, group size may be greater than twelve (12) individuals with approval from the department.

(F) Group education sessions shall be facilitated by a SQP or SQI. Group education sessions are limited to thirty (30) individuals per staff member.

(G) A blood alcohol content (BAC) or urine test shall be conducted for each individual a minimum of one (1) time per week. Random BAC tests and/or urine tests may also be conducted. All test results shall be documented in the individual record.

(7) SROP Requirements. The SROP addresses the needs of high-risk, high-need adults who have a DWI/DUI offense and meet criteria for a moderate to severe substance use disorder with the potential for recidivism. Services focus on substance use disorders and the resolution of problems related to substance use and the individual's drinking and driving behavior.

(A) SROPs must maintain a contract with the department and comply with 9 CSR 30-3.130.

(B) A SQP or Qualified Addiction Professional shall utilize a department-approved instrument to administer a comprehensive clinical assessment for each individual admitted to the program.

1. Assessment results shall be utilized to develop an individual treatment plan. Treatment plan reviews and updates shall be conducted as specified in 9 CSR 30-3.100.

2. Family members and/or other natural supports shall be involved in the development of the individual treatment plan, as appropriate and allowable. The reason(s) for non-participation of family members/natural supports shall be documented in the individual record.

(C) Each individual admitted to a SROP must complete a min-

imum of seventy-five (75) hours of therapeutic, structured activities through a combination of individual and group counseling and group education in accordance with contract requirements. Services shall be structured to address the specific and unique needs of serious and repeat DWI/DUI offenders.

(D) Services shall include at least thirty-five (35) hours of individual and group counseling provided by a Qualified Addiction Professional or SQP. Group counseling sessions are limited to twelve (12) individuals per staff member. In order to accommodate individuals in accessing services, group size may be greater than twelve (12) individuals with approval from the department.

(E) Services shall be based on individual needs and should be completed in no less than ninety (90) days.

(8) Treatment Services for Youth. Individuals under the age of eighteen (18) whose screening results indicate the need for intensive treatment shall be referred to and successfully complete a substance use disorder treatment program for adolescents. The program must be certified by the department or nationally accredited to provide services for adolescents.

(9) Comparable Program for Missouri Residents. Missouri residents who have pled guilty or have been found guilty of an alcohol- or drug-related traffic offense may complete a comparable program in lieu of a SATOP to be eligible for license reinstatement.

(A) A comparable program is one that is state-certified and/or nationally accredited as a substance use disorder treatment program by The Joint Commission, Commission on Accreditation of Rehabilitation Facilities, Council on Accreditation, or other accrediting body recognized by the department.

(B) Individuals must receive a drug and alcohol screening, comprehensive assessment, and successfully complete the recommended treatment services from the comparable program.

1. Missouri residents must complete a minimum of one-hundred and twenty (120) hours of treatment in no less than twenty-one (21) days. Treatment hours must include a minimum of forty (40) hours of individual and group counseling. The remaining hours must include a combination of driver-related education, individual counseling, group counseling, group education, and family therapy.

(C) The provider of services shall verify the individual's successful program completion on the SATOP Comparable Program Completion form.

1. The individual shall present the SATOP Comparable Program Completion form to an OMU where a SATOP Completion Certificate will be issued to him/her. A SATOP screening is not required; however, the supplemental fee shall be collected from the individual. The OMU may charge an additional processing fee.

2. The OMU shall conduct a review of the individual's current driving record to ensure there are no alcohol- or drug-related traffic offenses during or after the treatment episode.

(10) Comparable Program for Out-of-State Residents. Individuals who have had an alcohol- or drug-related traffic offense in Missouri but live in or have moved to another state must complete a SATOP or a comparable program to be eligible for license reinstatement.

(A) To complete a comparable program, the individual must have a drug and alcohol screening and complete the recommendation of the screening. The provider of the screening and provider of services must be certified/licensed by the state of residence and/or be accredited by The Joint Commission, Commission on Accreditation of Rehabilitation Facilities, Council on Accreditation, or other accrediting body recognized by the department.

1. A minimum of ten (10) hours of drug and alcohol education is required unless the screening results indicate the need for

more intensive services.

2. The department shall make the final determination regarding the acceptability of the out-of-state program.

(B) A SATOP Comparable Program Completion Form and signed money order for the supplemental fee, made payable to Mental Health Earnings Fund, must be submitted to the Department of Mental Health, Controller's Office, PO Box 596, Jefferson City, MO 65102-0596.

1. The form and instructions are available at: www.dmh.mo.gov/ada/satop/completionform.pdf or by calling the department at (573) 522-4020.

(C) Following review of the comparable program, the department will provide notification of the individual's program completion to the Department of Revenue.

(11) Department of Corrections Treatment Programs. Substance use disorder treatment programs completed by individuals who are incarcerated in a Missouri Department of Corrections facility may be recognized as a SATOP comparable program. Individuals must contact the Department of Corrections to obtain information on approved programs.

(12) SATOP Costs and Fees. The costs for the screening, education, and treatment programs are established by the department and reviewed periodically. Costs shall not be greater than relative costs indicate. Programs shall not establish costs or fees that are not specified in this rule unless prior authorization from the department is granted. All fees are to be paid by the individual being served.

(A) The screening fee includes monitoring the individual's progress in the assigned education or treatment program and case coordination with the department, courts, probation and parole, Department of Revenue, and other entities as necessary.

(B) The cost for treatment in a department-certified and contracted substance use disorder treatment program is based on actual services provided.

(C) All individuals referred to a SATOP, including those participating in a comparable program as outlined in this rule, are required to pay a supplemental fee as specified in 9 CSR 30-3.208. The supplemental fee is in addition to the cost of the screening, education, and treatment services.

(D) Costs for individuals participating in a WIP, CIP, SROP, or a department-certified and contracted substance use disorder treatment program may be partially offset in accordance with 9 CSR 10-31.011.

(13) Successful Program Completion. Successful completion of a SATOP requires that the individual—

(A) Is free from alcohol or illegal drug use when participating in services and, as applicable, uses prescription medication as prescribed during program participation;

(B) Attends all sessions on time;

(C) Attends sessions in their proper sequence unless the instructor approves an alternate sequence;

(D) Completes all assignments and cooperatively participates in all class activities;

(E) Pays all fees prior to program completion; and

(F) Completes and signs all required forms.

(14) Completion Certificate. A SATOP Completion Certificate is issued to each individual within seven (7) calendar days of his/her successful completion of an education or treatment program.

(A) The OMU that completed the screening and issued the program recommendation is responsible for issuing the SATOP Completion Certificate to the individual. The Department of Revenue receives automatic notification of each individual's successful program completion via the department's automated processing system.

(B) If an individual fulfills their SATOP requirement with a provider other than the OMU that completed the screening and issued the program recommendation, the provider of services notifies the originating OMU of the individual's successful program completion. Notification must be provided to the originating OMU in a timely manner to ensure the SATOP Completion Certificate is issued to the individual within seven (7) calendar days of successful program completion.

(C) If an individual completes a comparable program, an OMU must create the SATOP Completion Certificate and indicate that a comparable program was completed. Automated notification of the individual's successful program completion is provided to the department through the department's automated processing system.

(15) Compliance. Failure to adhere to the stipulations, conditions, and requirements set forth in this rule shall be considered cause for revocation or denial of program certification.

AUTHORITY: sections 302.540, [577.049 and 577.520, RSMo Supp. 2003 and 577.001, 577.525,] 302.420, 302.425, 302.580, 630.050, 630.053, 630.655, and 631.010, RSMo [2000] 2016, and section 577.001, RSMo Supp. 2017. This rule was originally filed as 9 CSR 30-3.760. Original rule filed Nov. 2, 1987, effective May 15, 1988. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 16, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

Title 9—DEPARTMENT OF MENTAL HEALTH

Division 30—Certification Standards

Chapter 3—[Alcohol and Drug Abuse] Substance Use Disorder Treatment Programs

PROPOSED AMENDMENT

9 CSR 30-3.208 SATOP Supplemental Fee. The department is amending the chapter title, the purpose statement, and sections (1)–(5).

PURPOSE: This amendment changes the chapter title, adds the requirement for a SATOP Supplemental Fee Remittance Summary and Agency Tally Sheet, stipulates the department will not accept supplemental fees if program certification is revoked, and stipulates that failure to remit supplemental fees in a timely manner to the department will be considered cause for revocation of program certification.

PURPOSE: This rule establishes a supplemental fee which shall be collected by all certified Substance Abuse Traffic Offender Programs as required by state statute and outlines the procedures for submitting supplemental fees to the department.

(1) Supplemental Fee. All Substance Abuse Traffic Offender/s/ Programs shall collect *[from all applicants entering the program a supplemental fee determined by the department which shall be in addition to any other costs which may be charged by the program]* a supplemental fee from each individual admitted to the program in accordance with section 302.540, RSMo. *[The supplemental fee shall be collected no more than one (1) time per offense from any individual who has entered SATOP, whether for assessment or educational program.]*

(A) The supplemental fee is determined by the department and is in addition to any other costs associated with the program.

(B) The supplement fee is collected one (1) time per offense, regardless of the level of service the individual receives.

(2) Remittance of Supplemental Fees. On or before the fifteenth day of each month, program *[directors/ administrators]* shall remit the total of all supplemental fees collected during the prior calendar month, less two percent (2%) which, by law, may be retained by the program to offset collection and remittance costs.

(A) Remittance shall be mailed to: Mental Health Earnings Fund, Controller's Office, Department of Mental Health, 1706 East Elm Street, PO Box 596, Jefferson City, MO 65102.

(B) Transfer of supplemental fees from the program to the Mental Health Earnings Fund shall be in the form of a single check made payable to the Mental Health Earnings Fund. **The payment shall include the SATOP Supplemental Fee Remittance Summary and Agency Tally Sheet.**

(C) *[Program remittance checks shall be accompanied by a Supplemental Fee Remittance Form 9314 (to be provided by the Department of Mental Health at no cost to the program) which shall list the name and Social Security number of persons paying each supplemental fee being remitted.]* Failure to remit supplemental fees to the department on a timely basis will be considered cause for revocation of program certification.

1. If supplemental fees, including interest and penalties, are not remitted to the department within six (6) months of the due date, the Attorney General of the state of Missouri shall initiate appropriate action for collection of the fees.

(3) Documentation of Supplemental Fee Transactions. Each program shall maintain, at its principal administrative center, a single record of all supplemental fee transactions $[,]$ which is separate from all other program records. This separate record will facilitate audits *[which may from time-to-time be]* conducted by the department or the *[s/State /a/Auditor's /o/Office]*. A separate program record of supplemental fee transactions shall include copies of monthly remittance forms, *[and]* copies of checks forwarded to the Mental Health Earnings Fund, **and receipts issued by the department.**

(4) Acceptance of Supplemental Fees. *[The department shall accept supplemental fee remittances only from certified programs. Supplemental fee remittances, if received by the department from any agency not certified, will be returned to that agency. If an agency's certification has been revoked, the department will only accept supplemental fee remittances that were collected prior to the date the agency's certification was revoked. Remittances collected by the agency from clients after the date of the revocation shall not be accepted by the department. In such case, the supplemental fee must be returned to the client by the agency.]* The department will only accept supplemental fee remittances from certified SATOPs. If an agency's certification is revoked, the department will accept the supplemental fees owed prior to the date of revocation. The agency shall issue a refund to any individuals from whom a supplemental fee was collected after the date of revocation.

(5) Notice *[Posted]* of Supplemental Fee. Programs shall post, in places readily accessible to persons served, one (1) or more copies of a Student Notice Poster which shall be provided by the department at no cost to the program. Posters shall explain the statutory requirement for the supplemental fees, disposition of supplemental fees, and the means by which programs collect and remit supplemental fees.

AUTHORITY: sections 302.540, [577.049 and 577.520, RSMo Supp. 2003 and 577.001, 577.525,] 302.420, 302.425, 302.580, 630.050, 630.053, 630.655, and 631.010, RSMo [2000] 2016, and section 577.001, RSMo Supp. 2017. This rule was originally filed as 9 CSR 30-3.790. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 16, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment by writing to Gail Vasterling, General Counsel, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be delivered by regular mail, express or overnight mail, or by courier within thirty (30) days after publication in the Missouri Register. If to be hand delivered, comments must be brought to the Department of Mental Health at 1706 E. Elm Street, Jefferson City, Missouri. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 1—Director's Office
Chapter 1—Organization**

PROPOSED RULE

10 CSR 1-1.010 General Organization

PURPOSE: This rule describes the organization of the Missouri Department of Natural Resources, as well as the general courses, methods, and procedures whereby the public may obtain information or make submissions or requests.

(1) The Missouri Department of Natural Resources (department) is managed by a director appointed by the governor, by and with the advice and consent of the senate.

(2) The department administers programs relating to environmental control and management of natural and cultural resources, as provided by the constitution, statute, regulation, and policy. The department accomplishes its mission through the Division of Administrative Support, Division of Environmental Quality, Missouri Geological Survey, and Division of State Parks.

(3) The following boards and commissions support and facilitate the department's roles and responsibilities:

(A) Air Conservation Commission of the State of Missouri, created in section 643.040, RSMo;

(B) Clean Water Commission of the State of Missouri, created in section 644.021, RSMo;

(C) Dam and Reservoir Safety Council, created in section 236.410, RSMo;

(D) Hazardous Waste Management Commission of the State of Missouri, created in section 260.365, RSMo;

(E) Missouri Advisory Council on Historic Preservation, created

in section 253.412, RSMo;

(F) Missouri Mining Commission, created in section 444.520, RSMo;

(G) Safe Drinking Water Commission, created in section 640.100, RSMo;

(H) Small Business Compliance Advisory Committee, created in section 643.173, RSMo;

(I) State Oil and Gas Council, created in section 259.010, RSMo;

(J) State Soil and Water Districts Commission, created in section 278.080, RSMo.

(K) Unmarked Human Burial Consultation Committee, created in section 194.409, RSMo; and

(L) Well Installation Board, created in section 256.605, RSMo.

(4) Any member of the public may make submissions or requests to obtain information at the department's central office, located at 1101 Riverside Drive, Jefferson City, MO 65101 or by telephone at 800-361-4827 or 573-751-3443. The department also maintains a webpage with information at: <https://dnr.mo.gov>. Requests for records under the Missouri Sunshine Law, Chapter 610, RSMo, can be made through the department's webpage.

AUTHORITY: sections 536.023 and 640.010, RSMo 2016. Original rule filed Feb. 28, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Natural Resources, attention to Stuart Baker, Director's Office, PO Box 176, Jefferson City, MO 65102, or via email at stuart.baker@dnr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 3—Records**

PROPOSED AMENDMENT

11 CSR 45-3.010 Commission Records. The commission is deleting sections (4), (5), (6), and (7).

PURPOSE: This amendment removes language that is duplicative of statutory provisions.

[(4) Except as otherwise required under sections 313.847.1 and 313.945, RSMo, all investigatory, proprietary or application records, information and summaries in the possession of the commission or its agents may be treated by the commission as closed records not to be disclosed to the public.

(5) The commission may charge a fee for copying public records, which fee shall not exceed the actual cost of document search and duplication. The commission shall provide a list of fees charged for copying public records upon request.

(6) Payment of any copying fees and search fees may be required before any information will be provided.

(7) All fees are nonrefundable.]

AUTHORITY: sections 313.004, 313.805, 313.847, 313.945, 313.950, and 313.955, RSMo 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

PROPOSED RESCISSION

11 CSR 45-4.085 Expiration of Temporary License. This rule established a time frame for the automatic expiration of temporary licenses.

PURPOSE: This rule is being rescinded because it is obsolete, in that the commission no longer issues temporary licenses to Class A or B licensees.

AUTHORITY: section 313.807, RSMo 2000. Original rule filed Dec. 3, 2007, effective May 30, 2008. Rescinded: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

PROPOSED AMENDMENT

11 CSR 45-5.053 Policies. The commission is deleting subsection (3)(E) and relettering section (3) subsections thereafter.

PURPOSE: This amendment eliminates a conflict with section

313.812(8), RSMo.

(3) The holder of a Class A or B license is expressly prohibited from the following activities:

[(E) Catering to, assisting, employing or associating with, either socially or in business affairs, persons of notorious or unsavory reputation or who have felony police records, or the employing either directly through a contract or other means, of any firm or individual in any capacity where the repute of the state of Missouri or the gaming industry is liable to be damaged because of the unsuitability of the firm or the individual;]

[(F)](E) Permitting to remain in, or upon any licensed premises, any associated gambling equipment (primarily, but not limited to, cards or dice), which may have in any manner been marked, tampered with, or otherwise placed in a condition or operated in a manner which might affect the game and its payouts;

[(G)](F) Permitting, if the licensee was aware or should have been aware of, any cheating whatsoever;

[(H)](G) Permitting to remain in or upon any licensed premises, any cheating device whatsoever; or conducting, carrying on, operating, or dealing any cheating or thieving game or device on the premises;

[(I)](H) Permitting to remain in or upon any licensed premises, if the licensee was aware, or should have been aware of, any gambling device which tends to alter the normal random selection of criteria which determines the results of the game or deceives the public in any way;

[(J)](I) Failing to conduct gaming operations in accordance with proper standards of custom, decorum, and decency; or to permit any type of conduct on the riverboat which reflects negatively on the repute of the state of Missouri or acts as a detriment to the gaming industry;

[(K)](J) Denying a commissioner or commission agent, access to, for inspection purposes, any portion or aspect of the riverboat or attendant shore facilities;

[(L)](K) Denying a commissioner or commission agent, information concerning any aspect of the riverboat operation; and

[(M)](L) Failing to report to the commission known or suspected violations of commission rules and applicable law.

AUTHORITY: section 313.004, [RSMo 2000, and sections] 313.800, 313.805, 313.807, 313.812, 313.817, and 313.830, RSMo [Supp. 2014] 2016. Original rule filed Feb. 19, 1998, effective Aug. 30, 1998. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

PROPOSED AMENDMENT

11 CSR 45-5.170 Destruction of Counterfeit Chips and Tokens.
The commission is deleting section (3), amending and renumbering sections (4) and (5).

PURPOSE: This amendment removes obsolete and unduly burdensome provisions, in that electronic gaming devices no longer accept tokens, and the information being deleted is not necessary for the commission to fulfill its duties.

[(3) Unless a peace officer instructs or a court of competent jurisdiction orders otherwise in a particular case, licensees may dispose of coins of the United States or any other nation discovered to have been unlawfully used at their establishments by including them in their coin inventories or, in the case of foreign coins, by exchanging them for United States currency or coins and including them in their currency or coin inventories, or by disposing of them in any other lawful manner.]

[(4)](3) Each licensee shall record, in addition to other information that the commission may require—

(A) T/the number and denominations, actual and purported, of the coins and counterfeit chips and tokens destroyed or otherwise disposed of pursuant to this rule[;]

[(B) The month during which they were discovered;

(C) The date, place and method of destruction or other disposition, including, in the case of foreign coin exchanges, the exchange rate and the identity of the bank, exchange company, or other business or person at which or with whom the coins are exchanged; and

(D) The names of the persons carrying out the destruction or other disposition on behalf of the licensee.]

[(5)](4) A holder of a Class [A] B license shall maintain each record required by this rule for at least five (5) years, unless the commission approves or requires otherwise.

AUTHORITY: sections 313.004, 313.805, 313.807, and 313.817, RSMo [1994 and 313.807, RSMo Supp. 1997] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

PROPOSED AMENDMENT

11 CSR 45-7.020 [Minimum Standards] Purpose of Surveillance.

The commission is changing the title, deleting section (1), and renumbering section (2).

PURPOSE: This amendment removes unnecessary language about surveillance systems.

[(1) This chapter sets forth the minimum standards that must be followed by a licensee with respect to casino surveillance systems. The commission may require a licensee to comply with casino surveillance system requirements that are more stringent than those set forth by these rules based upon electronic equipment improvements or the necessity to protect the integrity of the industry.]

[(2)](1) The purposes of a casino surveillance system are to assist the licensee and the state in safeguarding the licensee's assets, in deterring, detecting, and prosecuting criminal acts, and in maintaining public confidence and trust that licensed gaming is conducted honestly and free of criminal elements and activity.

AUTHORITY: sections 313.004, 313.805, and 313.824, RSMo [Supp. 1993] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

PROPOSED AMENDMENT

11 CSR 45-7.070 Surveillance Logs. The commission is deleting section (2).

PURPOSE: This amendment removes language that conflicts with another rule that establishes record retention requirements.

[(2) The log shall be retained for at least one (1) year after the date of the most recent entry in the log.]

AUTHORITY: sections 313.004, 313.800, 313.805, and 313.824, RSMo [2000 and sections 313.800 and 313.805, RSMo Supp. 2010] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed June 2, 1995, effective Dec. 30, 1995. Amended: Filed Oct. 22, 2010, effective June 30, 2011. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

PROPOSED AMENDMENT

11 CSR 45-7.100 Maintenance and Testing. The commission is deleting section (2).

PURPOSE: This amendment removes provisions that are obsolete, in that riverboat casinos no longer cruise.

[(2) Upon completion of the excursion, commission personnel shall meet with representatives of the riverboat gaming operation to ascertain the approximate time needed to make necessary repairs and determine whether gaming may continue with live monitoring.]

AUTHORITY: sections 313.004, 313.800, 313.805, and 313.824, RSMo [1994] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed June 2, 1995, effective Dec. 30, 1995. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 7—Security and Surveillance**

PROPOSED AMENDMENT

11 CSR 45-7.150 Compliance with this Chapter. The commission

is amending section (1) and deleting section (3)

PURPOSE: This amendment removes unnecessary language.

(1) Applicants for a Class [A] B license shall comply with the requirements set forth in this chapter no later than seven (7) days prior to the start of gaming operations.

[(3) The failure of a licensee to comply with the rules of this chapter or any approved variation pursuant to 11 CSR 45-7.140 is an unsuitable method of operation.]

AUTHORITY: sections 313.004, 313.800, and 313.805, RSMo [2000] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed Feb. 26, 2001, effective Sept. 30, 2001. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 8—Accounting Records and Procedures; Audits
PROPOSED AMENDMENT**

11 CSR 45-8.100 Count Room—Characteristics. The commission is amending section (3) and deleting section (4).

PURPOSE: This amendment removes language duplicative of and conflicting with provisions in 11 CSR 45-9.102.

(3) *[The key custodian shall establish a sign-out procedure for all count room keys.]* An alarm device (audible, visual, or both) shall be connected to the entrance of the count room that causes a signaling to the monitors of the closed circuit television system and to the commission office on the boat whenever the door to the count room is opened.

[(4) Located within the soft count room shall be a table constructed of clear glass or similar material for the emptying, counting and recording of the contents of drop boxes which shall be known as the soft count table.]

AUTHORITY: sections 313.004, [RSMo 2000, and sections] 313.800, and 313.805, RSMo [Supp. 2012] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 28, 2013, effective Nov. 30, 2013. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System
PROPOSED AMENDMENT**

11 CSR 45-9.010 Definition of Licensee. The commission is amending section (1).

PURPOSE: This amendment removes unnecessary language from section (1) because the commission does not license affiliate suppliers, in that all entities meeting the statutory definition are issued suppliers licenses.

(1) For purposes of this chapter, licensee shall mean the holder of a Class A, Class B, Supplier, or Temporary Supplier *[or Affiliate Supplier]* license as determined by the commission.

AUTHORITY: sections 313.004, 313.800, 313.805, [and] 313.812, [RSMo 2000 and sections 313.800, 313.805,] and 313.817, RSMo [Supp. 2008] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed May 13, 1998, effective Oct. 30, 1998. Amended: Filed Oct. 29, 2008, effective April 30, 2009. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System
PROPOSED AMENDMENT**

11 CSR 45-9.040 Commission Approval of Internal Control System. The commission is amending subsection (1)(C).

PURPOSE: This amendment removes an unnecessary provision, in that requiring separate procedures for shoreside facilities is not necessary because the other requirements already address these procedures.

(1) Each Class B licensee and other licensees as directed by the commission shall describe, in a manner that the commission may approve or require, its administrative and accounting procedures in detail in a written system of internal control. Each written system must include a detailed narrative description of the administrative and accounting procedures designed to satisfy the requirements of 11 CSR 45-9.020 and 11 CSR 45-9.030(1). Additionally, this description shall include a separate section for the following:

(C) A detailed, narrative description of the administrative and accounting procedures designed to satisfy the requirements of 11 CSR 45-9.020 and 11 CSR 45-9.030(1). Additionally, this description shall include a separate section for the following:

1. Procedures to account for the total number and amount of money received from admissions, including free passes or complimentary admission tickets;
2. Physical characteristics of drop box and tip box;
3. Transportation of drop and tip boxes to and from gaming tables;
4. Procedures for table inventories;
5. Procedures for opening and closing gaming tables;
6. Procedures for fills and credits;
7. Procedures for accepting tips or gratuities;
8. Procedures for transporting chips and tokens to and from gaming tables;
9. Procedures for shift changes at gaming tables;
10. Drop bucket characteristics;
11. Transportation of drop buckets to and from electronic gaming devices;
12. Procedures for chip and token purchases;
13. Procedures for lines of credit and credit instruments;
14. Procedures for transportation of electronic gaming devices;
15. Procedures for jackpot payout;
16. Layout and physical characteristics of cashier's cage;
17. Procedures for accounting controls;
18. Procedures for exchange of checks submitted by gaming patrons;
19. Procedures for credit card and debit card transactions;
20. Procedures for acceptance, accounting for, and redemption of patron's cash deposits;
21. Procedures for control of coupon redemption and other complimentary distribution programs;
- [22. Procedures for shoreside facilities, which is defined for purposes of this rule as those facilities based or built upon land;]
- [23.]22. Procedures for federal cash transactions reporting; and
- [24.]23. Procedures for security and accountability of dice and cards; and

AUTHORITY: section 313.004, [RSMo 2000, and sections] 313.800, 313.805, 313.812, 313.817, and 313.830, RSMo [Supp. 2014] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 10—Licensee's Responsibilities**

PROPOSED AMENDMENT

11 CSR 45-10.055 Certain Transactions Involving Slot Machines.
The commission is amending section (1) and deleting section (4).

PURPOSE: This amendment removes language duplicative of the definition in section 572.010(II), RSMo.

(1) Licensed activities of supplier licensees and Class A and Class B licensees shall include the selling, transporting, placing, or possessing of slot machines and other gaming equipment and supplies and the conducting or negotiating of transactions affecting or designed to affect ownership, custody, or use of slot machines or other gaming equipment. These activities are subject to the restrictions in sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder, including but not limited to, 313.807.4, RSMo, 11 CSR 45-4.020(4) and 11 CSR 45-10.055.

[(4) "Slot machine," for purposes of this 11 CSR 45-10.055, shall be defined as a device that, as a result of the insertion of a token or other object, operates, either completely automatically or with the aid of some physical act by the player, in such a manner that, depending upon elements of chance or skill, it may eject something of value. A device so constructed or readily adaptable or convertible to such use is no less a slot machine because it is not in working order or because some mechanical act of manipulation or repair is required to accomplish its adaptation, conversion or workability.]

AUTHORITY: sections 313.004, 313.800, 313.805, and 313.807, RSMo [2000 and section 313.800, RSMo Supp. 2007] 2016. Original rule filed April 18, 1996, effective Dec. 30, 1996. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED AMENDMENT

11 CSR 45-11.020 Deposit Account—Taxes and Fees. The commission is deleting sections (1)–(3), amending and renumbering section (4), and renumbering sections (5)–(7).

PURPOSE: This amendment removes language duplicative of statutory provisions.

[(1) As authorized in section 313.822, RSMo, a tax is imposed on the adjusted gross receipts received from gambling games at the rate of twenty-one percent (21%) (the “gaming tax”).

(2) The gaming taxes imposed shall be returned and remitted through the commission to the Missouri Department of Revenue.

(3) The home dock city or county designated by the excursion gambling boat shall receive ten percent (10%) of the gaming tax for use in providing services necessary for the safety of the public visiting an excursion gambling boat.

(A) The home dock city or county may enter into agreements with other cities or counties to share in the ten percent (10%) revenue.

(B) The home dock city or county must annually submit to the commission an original or certified copy of any shared revenue agreement with any other city or county.]

[(4)](1) The gaming tax imposed and remitted by the licensee to the commission shall be deposited in a special trust account designated by the commission. Not less than once per month on a date to be selected by the commission, the director of revenue shall disburse from the account moneys owed to the home dock city or county. Any shared revenue shall be disbursed by the home dock city or county to such other city or county as a shared revenue agreement may provide.

[(A) All revenues to be transferred to the governing body of any city not within a county, and any city with a population of over three hundred fifty thousand (350,000) inhabitants shall not be considered state funds and shall be deposited in the city’s general revenue fund.

(B) The remaining amount of the gaming tax shall be deposited in the state treasury to the credit of the Gaming Proceeds for Education Funds.]

[(5)](2) As a condition of its license, each licensee shall establish and, after that, maintain an operating account at a designated financial institution capable of handling electronic fund transfers. The licensee must notify the commission of the financial institution where funds are deposited. No change of financial institution may be made without prior commission approval.

[(6)](3) Each Class B licensee, as a condition of licensure, shall deposit into one (1) account an amount sufficient to cover its estimated liability for the gaming tax and the admission fee imposed by section 313.820, RSMo, representing the average liability for the gaming tax and the admission fee for two (2) days of operation. This account shall be designated, in substance, by the following language: “Name of licensee, for the benefit of the Missouri Gaming Commission.”

[(7)](4) Licensees. Beginning in the first month, second day of operation, each licensee, as a condition of its license, shall deposit daily

into the operating account an amount sufficient to cover the estimated tax and fee liabilities for the previous day. The licensee then shall timely remit from the operating account to the commission the gaming tax and admissions fee for each daily period that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(A) With approval by the commission, the licensee may select a twenty-four- (24-)/-/ hour cycle that is defined as the business day for the purpose of establishing the estimated tax and fee liabilities.

(B) Deposits will be deemed timely when made no later than 12:00 p.m. Central Standard Time on the first day financial institutions are open for business after the close of the business day on which the estimated liabilities were established.

(C) The licensee, by applicable agreement with the financial institution, shall provide for the automatic withdrawal or transfer of funds for payment of the taxes and fees.

(D) In the event that the licensee’s adjusted gross receipts result in a negative tax due or if overpayment is made and amended with the commission within the same weekly period which, for purposes of this section, means Wednesday of each week through the following Tuesday, the licensee may adjust their payment by the overpaid amount on the next gaming day’s subsequent payment. In the event that the licensee’s adjusted gross receipts result in a negative tax due or if overpayment is made and amended in a subsequent week, the licensee shall file a Claim for Refund or Credit Form, included herein, along with the tax return.

(E) Every Claim for Refund or Credit Form must be in writing under oath and must state the specific grounds upon which the claim is founded.

(F) The Claim for Refund or Credit Form shall be made available on the commission’s website at www.mgc.dps.mo.gov and may be requested by writing to: Missouri Gaming Commission, Post Office Box 1847, Jefferson City, MO 65102-1847.

AUTHORITY: sections 313.004, 313.800, 313.805, [and] 313.807, [RSMo 2000 and sections 313.800, 313.805,] 313.820, 313.822, and 313.835, RSMo [Supp. 2009] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission’s Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED AMENDMENT

11 CSR 45-11.030 Payment—Gaming Tax. The commission is deleting sections (5)–(7).

PURPOSE: This amendment removes unnecessary language, in that any liability for penalties and interest would need to be established by statutory provision.

[(5) In the case of an underpayment of any weekly amount to be paid, the licensee shall be liable for interest on the delinquent amount as determined under 11 CSR 45-11.120(2) and for a penalty, which shall be five percent (5%) of the amount of the underpayment.

(6) The five percent (5%) penalty shall not be imposed if the licensee establishes that the failure to make a timely remittance of at least ninety percent (90%) was due to reasonable cause, and not due to willful neglect; provided that the full remittance is paid within ten (10) days of notice from the commission that it is due, along with interest as determined under 11 CSR 45-11.120(2).

(7) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make daily remittance of the gaming tax; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).]

AUTHORITY: sections 313.004, 313.805, [and] 313.807, [RSMo 2000 and sections 313.805,] 313.822, and 313.835, RSMo [Supp. 2009] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED AMENDMENT

11 CSR 45-11.070 Return and Payment—Admission Fee. The commission is deleting sections (7)–(9).

PURPOSE: This amendment removes unnecessary language, in that any liability for penalties and interest would need to be established by statutory provision.

[(7) In the case of an underpayment of any daily amount to be paid, the licensee shall be liable for interest on the delinquent amount as determined under 11 CSR 45-11.120(2)

and for a penalty which shall be five percent (5%) of the amount of the underpayment.

(8) The five percent (5%) penalty shall not be imposed if the licensee establishes that the failure to make a timely remittance of at least ninety percent (90%) was due to reasonable cause, and not due to willful neglect; provided that the full remittance is paid within ten (10) days of notice from the commission that it is due, along with interest as determined under 11 CSR 45-11.120(2).

(9) The commission may waive the penalty against any licensee during the first two (2) months the licensee is obligated to make daily remittance of the admission fee; provided that all due remittances are paid in full at the end of the two (2)-month period, along with interest as determined under 11 CSR 45-11.120(2).]

AUTHORITY: sections 313.004, [RSMo 2000 and sections] 313.805, and 313.820, RSMo [Supp. 2009] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED AMENDMENT

11 CSR 45-11.080 Other Taxes and Fees. The commission is deleting section (3).

PURPOSE: This amendment removes language that is duplicative of other regulatory provisions.

[(3) The licensee shall provide the commission with proof of payment of all other state taxes required to be paid.]

AUTHORITY: sections 313.004, 313.805, and 313.822, RSMo [Supp. 1993] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED AMENDMENT

11 CSR 45-11.120 Penalties and Interest. The commission is deleting section (2).

PURPOSE: This amendment removes language duplicative of statutory provisions.

[(2) All taxes or fees not paid to the commission by the licensee on the date when the same becomes due and payable to the commission shall bear interest at the rate determined by section 32.065, RSMo, from and after the due date until paid.]

AUTHORITY: sections 313.004, 313.800, 313.805, 313.822, and 313.830, RSMo [Supp. 1993] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED AMENDMENT

11 CSR 45-11.130 Failure to File Return or Pay Tax or Fee. The commission is deleting sections (1), (2), and (5), and renumbering sections (3) and (4).

PURPOSE: This amendment removes unnecessary language, in that any liability for penalties and interest would need to be established by statutory provision.

[(1) In cases of failure to file any return on or before the date prescribed for filing (determined with regard to any extension of time for making a return), unless it is shown that the failure is due to reasonable cause and not the result of willful neglect, evasion or fraudulent intent, the commission shall assess a penalty of at least five percent (5%) of the tax or fee due with the filing.

(2) In case of failure to deposit accurate estimates of the gaming tax or admission fee on or before the date prescribed for deposit to the commission (determined with regard to any extension of time for payment), unless it is shown that the failure is due to reasonable cause and not the result of willful neglect, evasion or fraudulent intent, there shall be added to the tax or fee an amount equal to five percent (5%) of the deficiency.]

[(3)](1) Except in cases of fraud or evasion, if a person neglects or refuses to make a return and payment as prescribed, the commission shall make an estimate based upon any information in its possession, or that may come into its possession, of the amount of the adjusted gross receipts of, or the number of admission tickets issued by the delinquent for, the period in respect to which it failed to make return and payment, and upon the basis of this estimated amount or number compute and assess the tax or fee payable by the delinquent; the estimate may be reconstructed for that period of time for which the tax or fee may be collected as prescribed in this section.

[(4)](2) After completing the estimate assessment, the commission shall give the delinquent written notice of the estimated assessment.

[(5) The penalties provided by this chapter shall be in addition to the right of the commission to suspend, revoke or fine a licensee.]

AUTHORITY: sections 313.004, 313.800, 313.805, 313.822, and 313.830, RSMo [2000 and sections 313.800, 313.805, and 313.822, RSMo Supp. 2009] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 11—Taxation Regulations**

PROPOSED RESCISSION

11 CSR 45-11.160 Collection and Enforcement. This rule established the procedure for collection and enforcement of taxes and fees.

PURPOSE: This rule is being rescinded because it is unnecessary, in that the authority to file a lien for unpaid taxes would need to be established by statutory provision.

AUTHORITY: sections 313.004, 313.800, 313.805, and 313.822, RSMo Supp. 1993. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. Rescinded: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 12—Liquor Control**

PROPOSED AMENDMENT

11 CSR 45-12.020 Excursion Liquor License and Definitions. The commission is deleting section (3).

PURPOSE: This amendment removes language duplicative of another rule.

[(3) An excursion liquor license may be issued to only Class B licensees.]

AUTHORITY: sections 313.004, 313.805, and 313.840, RSMo [2000, and sections 313.805 and 313.840, RSMo Supp. 2013] 2016. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 17—Voluntary Exclusions**

PROPOSED AMENDMENT

11 CSR 45-17.010 Disassociated Persons List Created—Right to Remove From Premises. The commission is deleting sections (3) and (6) and renumbering sections (4), (5), and (7).

PURPOSE: This amendment removes language that is duplicative of statutory provisions.

[(3) Any wager placed by a person on the List is hereby declared to be an unauthorized transaction and all chips and electronic credits in the possession of a Disassociated Person at the time s/he is discovered on an excursion gambling boat are presumed to be items used in exchange for or to facilitate, through the enactment of this rule, a violation of section 313.805, RSMo, and therefore subject to forfeiture as provided under sections 513.600 to 513.646, RSMo.]

[(4)](3) A Class B licensee or its agent(s) or employee(s) may be disciplined by the commission if—

(A) It can be shown by a preponderance of the evidence that the Class B licensee or its employee(s) or agent(s) knew a person on the List was present on the excursion gambling boat and, despite such knowledge, failed to follow the procedures required by this rule; or

(B) The Class B licensee or its employee(s) or agent(s) failed to follow its procedures for complying with the provisions of 11 CSR 45-17 et seq.

[(5)](4) All Class B licensees shall have thirty (30) days from the effective date of this rule to submit internal controls that are subject to approval by the commission which set forth the following:

(A) The licensee's plan for removing those persons on the List from mailing lists advertising its Missouri operation, such as marketing offers, slot club programs, VIP member programs, telemarketing programs, and other such marketing promotions, however this rule shall not be construed to prohibit mass mailings to "Resident"; and

(B) The licensee's plan for denying access by persons on the List to—

- 1. Check cashing privileges, cash advances, credit/debit card transactions, and wire transfers;*
- 2. Special club programs such as slot clubs and VIP cards;*
- 3. The issuance of credit, if applicable; and*
- 4. Gaming privileges, tournaments, promotions, and payment of taxable winnings or prizes.*

[(6) Any individual who had been placed on the List and who receives any mailing or marketing material prohibited by subsection (5)(A) shall have a continuing obligation to notify the commission of the receipt of such mailing.]

[(7)](5) After an individual's application for placement on the List has been processed by the commission staff and the individual's name is added to the List, that individual shall remain on the List until such time as the requirements for removal from the List as described in 11 CSR 45-17.060 have been met.

AUTHORITY: sections 313.004, 313.805, 313.813, and 313.832, RSMo [2000, and section 313.805, RSMo Supp. 2011] 2016. Original rule filed April 18, 1996, effective Dec. 30, 1996. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2018.

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

in the aggregate.

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 17—Voluntary Exclusions**

PROPOSED AMENDMENT

11 CSR 45-17.020 Procedure for Applying for Placement on List of Disassociated Persons. The commission is deleting section (5).

PURPOSE: This amendment removes language which is not necessary for the commission to fulfill its duties.

[(5) The Disassociated Person shall notify the commission of any changes to the information provided in subsection (1)(A) within thirty (30) days of a change on forms provided by the commission.]

AUTHORITY: sections 313.004, **313.805**, 313.813, and 313.832, RSMo [2000, and section 313.805, RSMo Supp. 2011] **2016**. Original rule filed April 18, 1996, effective Dec. 30, 1996. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED RESCISSION

11 CSR 45-30.520 Waiver of Requirements. This rule established the process for waiver of requirements.

PURPOSE: This rule is being rescinded because it duplicates the authority granted in 11 CSR 45-1.100.

AUTHORITY: sections 313.004 and 313.065, RSMo Supp. 1993. Emergency rule filed June 21, 1994, effective July 1, 1994, expired Oct. 28, 1994. Emergency rule filed Oct. 19, 1994, effective Oct. 29, 1994, expired Feb. 25, 1995. Original rule filed July 11, 1994, effective Jan. 29, 1995. Rescinded: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 30—Bingo**

PROPOSED AMENDMENT

11 CSR 45-30.535 Penalties. The commission is deleting section (6) and renumbering section (7).

PURPOSE: This amendment removes language that is unnecessary, in that it duplicates authority granted in statute.

[(6) In addition to the above penalties, the commission may also revoke or suspend any existing license required by the bingo statutes.]

[(7)](6) For purposes of this rule, the term licensee includes an individual or an officer, member, partner, or employee of the licensee who was under a duty to perform the act which led to the violation(s).

AUTHORITY: sections 313.052, 313.065, and 313.070, RSMo [2000] **2016**. Original rule filed July 3, 1995, effective Jan. 30, 1996. For intervening history, please consult the *Code of State Regulations*. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 40—Fantasy Sports Contests**

PROPOSED AMENDMENT

11 CSR 45-40.070 Operational Fees. The commission is deleting section (1) and amending and renumbering section (2).

PURPOSE: This amendment removes language that is duplicative of section 313.935.3, RSMo.

[(1) A licensed operator shall pay an annual operation fee by April 15 of each year in a sum equal to eleven and one-half percent (11.5%) of the licensed operator's net revenue from the previous calendar year. All revenue collected under this section shall be placed in the gaming proceeds for education fund created under section 313.822, RSMo. If a licensed operator fails to pay the annual operation fee by April 15, the licensed operator shall have its license immediately suspended by the commission until such payment is made.]

[(2)](1) The applicant or licensed operator shall file an Annual Operation Fee (AOF) report and all required supporting documentation with the commission by January 15 of each year for the previous calendar year. The annual operation fee shall be reported on the AOF report, which the commission adopts and incorporates by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102, and which may be accessed at <http://www.mgc.dps.mo.gov>. The AOF report does not incorporate any subsequent amendments or additions as approved by the Commission on [December 7, 2016] February 28, 2018.

AUTHORITY: sections 313.910, 313.935, 313.950, and 313.955, RSMo 2016. Emergency rule filed Aug. 29, 2016, effective Sept. 8, 2016, expired March 6, 2017. Original rule filed Aug. 29, 2016, effective March 30, 2017. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 40—Fantasy Sports Contests**

PROPOSED AMENDMENT

11 CSR 45-40.100 Audits. The commission is deleting section (3).

PURPOSE: This amendment removes language that is duplicative of section 313.940 RSMo.

[(3) The C.P.A. shall prepare an audit report which shall be submitted to the commission by March 1 of each year following the close of the licensed operator's fiscal year. The report shall contain the C.P.A.'s assessment of the accuracy

of the financial statements and the Annual Operation Fee report. In addition, the report shall include the licensed operator's compliance with each requirement set forth in sections 313.900 to 313.955, RSMo, and Chapter 11 CSR 45-40.]

AUTHORITY: sections 313.910, 313.915, 313.940, 313.950, and 313.955, RSMo 2016. Emergency rule filed Aug. 29, 2016, effective Sept. 8, 2016, expired March 6, 2017. Original rule filed Aug. 29, 2016, effective March 30, 2017. Amended: Filed March 1, 2018.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Tuesday, May 1, 2018, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 59—Criminal Record Reviews**

PROPOSED RESCISSION

13 CSR 40-59.040 Definitions in Release of Information. This rule defined "central registry checks."

PURPOSE: This rule is being rescinded because it contains only a single definition and is duplicated in 13 CSR 35-60.010.

AUTHORITY: sections 207.020, RSMo 1986 and 210.150, RSMo Supp. 1991. Original rule filed March 22, 1990, effective June 28, 1990. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 59—Criminal Record Reviews**

PROPOSED RESCISSION

13 CSR 40-59.050 Child Abuse/Neglect Central Registry Checks for Child Care Employees and Volunteers. This rule established the application for background screening and investigation of all

child care employees and volunteers.

PURPOSE: This rule is being rescinded as it is duplicative of 13 CSR 35-60.010

AUTHORITY: sections 207.020, RSMo 1986, 210.145, RSMo 1990 and 210.150, RSMo Supp. 1991. Original rule filed March 22, 1990, effective June 28, 1990. Amended: Filed May 13, 1993, effective Dec. 9, 1993. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 61—Licensing Rules for Family Day Care Homes**

PROPOSED RESCISSION

13 CSR 40-61.065 Child Care Licensing Review Board. This rule established composition and duties of the Child Care Licensing Review Board.

PURPOSE: The Children’s Division is rescinding this rule because the Department of Health and Senior Services now handles this function.

AUTHORITY: section 210.221, RSMo Supp. 1987. This rule was previously filed as 13 CSR 40-61.040. Original rule filed March 29, 1991, effective Oct. 31, 1991. Rescinded: Filed Feb. 20, 2018.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 4—Fees Charged by the Board of Pharmacy**

PROPOSED AMENDMENT

20 CSR 2220-4.010 General Fees. The Board of Pharmacy is propos-

ing to amend subsection (1)(D) and delete section (5).

PURPOSE: The Board of Pharmacy is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo, governing the practice of pharmacy. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Based on the board’s five- (5-) year projections, the board is proposing to reduce pharmacist renewal fees.

(1) The following fees are established by the State Board of Pharmacy:

(D) Pharmacist License Renewal Fee	\$200
1. Effective from August 1, 2018 through October 31, 2018	\$100

[(5) To ensure compliance with section 338.070, RSMo, the following renewal fees shall be effective from August 1, 2017 to October 31, 2017:

(A) Pharmacy Distributor/Wholesale Drug Distributor License Renewal Fee	\$150
(B) Pharmacy Permit Renewal	\$150]

AUTHORITY: sections 338.020, 338.035, 338.040, 338.060, 338.070, 338.140, 338.185, 338.220, 338.230, 338.270, 338.280, 338.335, and 338.350, RSMo 2016. This rule originally filed as 4 CSR 220-4.010. Emergency rule filed July 15, 1981, effective Aug. 3, 1981, expired Nov. 11, 1981. Original rule filed Aug. 10, 1981, effective Nov. 12, 1981. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Feb. 16, 2018, effective March 30, 2018, expires Jan. 9, 2019. Amended: Filed Feb. 16, 2018.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$1,077,000 in FY 19 as the result of the proposed decrease.

PRIVATE COST: This proposed amendment will save private entities approximately \$1,077,000 in FY 19.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this amendment in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Insurance, Financial Institutions and Professional Registration**
Division Title: State Board of Pharmacy
Chapter Title: Fees Charged by the Board of Pharmacy

Rule Number and Name:	20 CSR 2220-4.010- General Fees
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Fiscal Impact
State Board of Pharmacy	\$ 1,077,000 (FY 2019 Revenue Decrease)

III. WORKSHEET

Estimated # of Applicants/Licensees	Affected Agency	Description of Costs	Calculation of Estimates	TOTAL REVENUE DECREASE
10,770	Board of Pharmacy	Pharmacist Renewal Fee	\$2,154,000 - \$1,077,000 (anticipated FY 19 revenue based on current \$ 200 renewal fee – decreased revenue based on \$ 100 renewal fee)	\$ 1,077,000
TOTAL ESTIMATED COSTS				\$ 1,077,000 (Projected FY19 revenue decrease)

IV. ASSUMPTIONS

1. The estimated licensing counts were based on FY 2017 actual licensee/registant counts and actual renewal totals.
2. Actual revenue decreases may vary based on renewal applications received.
3. The projected revenue decrease will result in a net savings to the Board’s licensees/registrants, including, pharmacists.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Department of Insurance, Financial Institutions and Professional Registration**
Division Title: State Board of Pharmacy
Chapter Title: Fees Charged by the Board of Pharmacy

Rule Number and Name:	20 CSR 2220-4.010- General Fees
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

See worksheet below.

III. WORKSHEET

Estimated # of Applicants/Licensees	Affected Agency	Description of Costs	Calculation of Estimates	TOTAL ESTIMATED SAVINGS
10,770	Board of Pharmacy	Pharmacist Renewal Fee	\$2,154,000 - \$1,077,000 <i>(anticipated FY 19 revenue based on current \$ 200 renewal fee – decreased revenue based on \$ 100 renewal fee)</i>	\$ 1,077,000
TOTAL ESTIMATED COST SAVINGS FOR AUGUST 1, 2018 TO OCTOBER 31, 2017				\$ 1,077,000

IV. ASSUMPTIONS

- The estimated licensing counts were based on FY 2017 actual licensee/registrant counts and actual renewal totals.

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

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

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 2—Income Maintenance**

ORDER OF RULEMAKING

By the authority vested in the Family Support Division under sections 207.022 and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 40-2.080 Definitions Relating to Institutions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1587-1588). 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 40—Family Support Division
Chapter 34—Homeless, Dependent and Neglected Children**

ORDER OF RULEMAKING

By the authority vested in the Family Support Division under sections 207.022 and 660.017, RSMo 2016, the division rescinds a rule as follows:

13 CSR 40-34.070 Payment to School Districts for Special Education Services for Children in the Custody of the Division of Family Services and Placed in Residential Treatment Facilities is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1588-1589). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 3—Conditions of Provider Participation,
Reimbursement and Procedure of General Applicability**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.153 and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-3.030 Sanctions for False or Fraudulent Claims for MO HealthNet Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2017 (42 MoReg 1589-1591). 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 14—DEPARTMENT OF CORRECTIONS
Division 80—State Board of Probation and Parole
Chapter 3—Conditions of Probation and Parole**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Corrections under sections 217.690, 217.720, 217.755, and 217.810, RSMo 2016, the State Board of Probation and Parole amends a rule as follows:

14 CSR 80-3.020 Conditions of Lifetime Supervision is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2017 (42 MoReg 1768). 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 CONTENTS: 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 5—Examinations**

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 rescinds a rule as follows:

**20 CSR 2030-5.050 Admission to Examination—Architects
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 15, 2017 (42 MoReg 1838). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

**Division 2200—State Board of Nursing
Chapter 1—Organization and Description of the Board**

ORDER OF RULEMAKING

By the authority vested in the board under Chapter 335 and section 610.021(3) and (13), RSMo 2016, the board rescinds a rule as follows:

20 CSR 2200-1.010 General Organization is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 15, 2017 (42 MoReg 1838–1839). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

**Division 2200—State Board of Nursing
Chapter 1—Organization and Description of the Board**

ORDER OF RULEMAKING

By the authority vested in the board under sections 335.026 and 335.036, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2200-1.020 Board Compensation is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 15, 2017 (42 MoReg 1839). No changes have been made in the proposed rescis-

sion, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

**Division 2205—Missouri Board of Occupational Therapy
Chapter 5—Continuing Competency Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Occupational Therapy under sections 324.065, 324.080, and 324.086, RSMo 2016, the board amends a rule as follows:

**20 CSR 2205-5.010 Continuing Competency Requirements
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2017 (42 MoReg 1839–1842). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT #1: Rachel Eisfelder, MOT, OTR/L, President of the Missouri Occupational Therapy Association stated that they support the amendments being made and that the “changes will require increased clarity for documentation of competency activities and decrease current ambiguity in certain activities” in addition that changes would “define parameters that focus on delivery of occupational therapy services.”

RESPONSE: The board received this comment in support of the rule change and therefore no additional changes to the proposed amendment were necessary.

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

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the executive director amends a rule as follows:

22 CSR 10-2.030 Contributions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2017 (42 MoReg 1793). 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 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under sections 103.059 and 103.089, RSMo 2016, the executive director amends a rule as follows:

22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare Primary Members **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2017 (42 MoReg 1793–1794). 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 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 2—State Membership**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the executive director adopts a rule as follows:

22 CSR 10-2.135 Benefit Package Option **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2017 (42 MoReg 1794). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the executive director amends a rule as follows:

22 CSR 10-3.090 Pharmacy Benefit Summary **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2017 (42 MoReg 1794–1795). 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 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the executive director adopts a rule as follows:

22 CSR 10-3.135 Benefit Package Option **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2017 (42 MoReg 1795–1796). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

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

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON application listed below. A decision is tentatively scheduled for April 23, 2018. This application is available for public inspection at the address shown below.

Date Filed

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

3/12/2018

#5574 HT: Boone Hospital Center
Columbia (Boone County)
\$1,290,549, Replace Bi-plane Angiography Unit

Any person wishing to request a public hearing for the purpose of commenting on this application must submit a written request to this effect, which must be received by April 12, 2018. 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 2016, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL
CREDITORS OF AND CLAIMANTS AGAINST
AMPHORA, LLC**

On January 25, 2018, **AMPHORA, LLC**, a Missouri limited liability company, filed a Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against **AMPHORA, LLC**, you must submit a summary in writing of the circumstances surrounding your claim to: Michael F. Barzee, **SHAFFER LOMBARDO SHURIN**, 2001 Wyandotte Street, 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 the event on which the claim is based occurred; and (4) a brief description of the nature of the debt or the basis for the claim.

All claims against **AMPHORA, LLC** will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST HMC/CAH NOTE ACQUISITION, LLC

Notice is hereby given that **HMC/CAH Note Acquisition, LLC**, a Missouri limited liability company (the "LLC") has filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective as of February 15, 2018. Any person with a claim against the LLC is hereby required to present their claims in accordance with this notice.

All claims must be presented in writing and must contain (a) the name, address and telephone number of the claimant, (b) the amount claimed, (c) the basis for the claim, (d) copies of any documentation supporting the claim, and (e) the date(s) on which the event(s) on which the claim is based occurred. Claims must be mailed to: Kutak Rock LLP, Attn. Neil M. Miller, Esq., 2300 Main St., Suite 800, Kansas City, MO 64108.

A claim against the LLC will be barred unless an action to enforce the claim is commenced within three (3) years after publication of this notice.

**NOTICE OF DISSOLUTION TO ALL
CREDITORS AND CLAIMANTS AGAINST
RAWXIES LLC**

Rawxies LLC, a Missouri limited liability company ("Rawxies"), filed its Notice of Winding Up with the Missouri Secretary of State on February 20, 2018. All persons must submit a written summary of any claims against Rawxies, including the name, address and telephone number of the claimant, the amount of the claim, the date on which the claim arose, and documentation for the claim to Brennan Tucker, Tucker GC, LLC, 10146 N. Montgall Ave., Kansas City, MO 64155. Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION OF CORPORATION
TO ALL CREDITORS AND CLAIMANTS
AGAINST MILLER SEED CO.,
A MISSOURI CORPORATION**

On January 9, 2018, Miller Seed Co., a Missouri Corporation filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

Miller Seed Co. hereby notifies all persons and organizations who have claims against it to present them immediately. You must submit a summary in writing of the circumstances surrounding your claim against Miller Seed Co. to Cason, Edgett, Mahan & Lutjen, LLC, Michael X. Edgett, 608 E. Ohio Street, Clinton, MO 64735.

All claims must include the following: the name and address of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events which form the basis of the claim occurred; and copies of any supporting documentation.

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

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—42 (2017) and 43 (2018). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				42 MoReg 1849
1 CSR 20-5.015	Personnel Advisory Board and Division of Personnel		41 MoReg 1538		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		41 MoReg 1539		
1 CSR 50-5.010	Missouri Ethics Commission		43 MoReg 522		
1 CSR 50-5.020	Missouri Ethics Commission		43 MoReg 522		
DEPARTMENT OF AGRICULTURE					
2 CSR 10-2.010	Market Development		This IssueR		
2 CSR 10-3.010	Market Development		This IssueR		
2 CSR 10-4.010	Market Development		This IssueR		
2 CSR 10-5.010	Market Development		This IssueR		
2 CSR 10-5.015	Market Development		This IssueR		
2 CSR 30-10.010	Animal Health	43 MoReg 385	43 MoReg 386		
2 CSR 90-10	Weights, Measures and Consumer Protection				42 MoReg 1203
2 CSR 90-30.040	Weights, Measures and Consumer Protection		This Issue		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.200	Conservation Commission		43 MoReg 523		
3 CSR 10-6.530	Conservation Commission		N.A.	43 MoReg 587	
3 CSR 10-6.620	Conservation Commission		N.A.	43 MoReg 587	
3 CSR 10-7.410	Conservation Commission		43 MoReg 523		
3 CSR 10-7.455	Conservation Commission				43 MoReg 93
3 CSR 10-9.105	Conservation Commission		43 MoReg 524		
3 CSR 10-9.442	Conservation Commission		43 MoReg 527		
3 CSR 10-10.705	Conservation Commission		43 MoReg 528		
3 CSR 10-12.109	Conservation Commission		43 MoReg 528		
3 CSR 10-12.145	Conservation Commission		N.A.	43 MoReg 587	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 240-3.050	Public Service Commission		42 MoReg 1641R		
4 CSR 240-10.075	Public Service Commission		42 MoReg 1641		
4 CSR 240-120.011	Public Service Commission		42 MoReg 1145	43 MoReg 176	
4 CSR 240-120.031	Public Service Commission		42 MoReg 1146	43 MoReg 177	
4 CSR 240-120.060	Public Service Commission		42 MoReg 1146	43 MoReg 177	
4 CSR 240-120.065	Public Service Commission		42 MoReg 1147	43 MoReg 178	
4 CSR 240-120.070	Public Service Commission		42 MoReg 1151	43 MoReg 183	
4 CSR 240-120.080	Public Service Commission		42 MoReg 1151	43 MoReg 183	
4 CSR 240-120.085	Public Service Commission		42 MoReg 1151	43 MoReg 184	
4 CSR 240-120.090	Public Service Commission		42 MoReg 1156	43 MoReg 186	
4 CSR 240-120.100	Public Service Commission		42 MoReg 1158	43 MoReg 186	
4 CSR 240-120.110	Public Service Commission		42 MoReg 1158	43 MoReg 187	
4 CSR 240-120.120	Public Service Commission		42 MoReg 1159	43 MoReg 188	
4 CSR 240-120.130	Public Service Commission		42 MoReg 1159	43 MoReg 188	
4 CSR 240-120.140	Public Service Commission		42 MoReg 1160	43 MoReg 190	
4 CSR 240-121.010	Public Service Commission		42 MoReg 1161	43 MoReg 190W	
4 CSR 240-121.020	Public Service Commission		42 MoReg 1161	43 MoReg 191W	
4 CSR 240-121.030	Public Service Commission		42 MoReg 1162	43 MoReg 192W	
4 CSR 240-121.040	Public Service Commission		42 MoReg 1163	43 MoReg 192W	
4 CSR 240-121.050	Public Service Commission		42 MoReg 1163	43 MoReg 193W	
4 CSR 240-121.060	Public Service Commission		42 MoReg 1164	43 MoReg 194W	
4 CSR 240-121.180	Public Service Commission		42 MoReg 1164	43 MoReg 194W	
4 CSR 240-123.010	Public Service Commission		42 MoReg 1164	43 MoReg 195	
4 CSR 240-123.020	Public Service Commission		42 MoReg 1165	43 MoReg 196	
4 CSR 240-123.030	Public Service Commission		42 MoReg 1166	43 MoReg 196	
4 CSR 240-123.040	Public Service Commission		42 MoReg 1167	43 MoReg 197	
4 CSR 240-123.050	Public Service Commission		42 MoReg 1169	43 MoReg 198	
4 CSR 240-123.060	Public Service Commission		42 MoReg 1169	43 MoReg 199	
4 CSR 240-123.065	Public Service Commission		42 MoReg 1170	43 MoReg 199	
4 CSR 240-123.070	Public Service Commission		42 MoReg 1174	43 MoReg 202	
4 CSR 240-123.080	Public Service Commission		42 MoReg 1174	43 MoReg 203	
4 CSR 240-123.090	Public Service Commission		42 MoReg 1175	43 MoReg 203	
4 CSR 240-123.095	Public Service Commission		42 MoReg 1176	43 MoReg 204	
4 CSR 240-124.010	Public Service Commission		42 MoReg 1180	43 MoReg 206	
4 CSR 240-124.020	Public Service Commission		42 MoReg 1180	43 MoReg 206	
4 CSR 240-124.030	Public Service Commission		42 MoReg 1180	43 MoReg 207	
4 CSR 240-124.040	Public Service Commission		42 MoReg 1181	43 MoReg 208	
4 CSR 240-124.045	Public Service Commission		42 MoReg 1182	43 MoReg 208W	
4 CSR 240-124.050	Public Service Commission		42 MoReg 1184	43 MoReg 209	
4 CSR 240-124.060	Public Service Commission		42 MoReg 1185	43 MoReg 209	
4 CSR 240-125.010	Public Service Commission		42 MoReg 1185	43 MoReg 210	
4 CSR 240-125.020	Public Service Commission		42 MoReg 1186	43 MoReg 211	
4 CSR 240-125.040	Public Service Commission		42 MoReg 1187	43 MoReg 211	
4 CSR 240-125.050	Public Service Commission		42 MoReg 1187	43 MoReg 212	
4 CSR 240-125.060	Public Service Commission		42 MoReg 1188	43 MoReg 213	
4 CSR 240-125.070	Public Service Commission		42 MoReg 1189	43 MoReg 214	
4 CSR 240-125.090	Public Service Commission		42 MoReg 1192	43 MoReg 218	
4 CSR 240-126.010	Public Service Commission		42 MoReg 1192	43 MoReg 218	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-126.020	Public Service Commission		42 MoReg 1193	43 MoReg 219	
4 CSR 240-127.010	Public Service Commission		42 MoReg 1194	43 MoReg 220	
4 CSR 340-2	Division of Energy				43 MoReg 15
4 CSR 340-6.010	Division of Energy		41 MoReg 1908		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-300.140	Division of Learning Services		43 MoReg 252R		
5 CSR 20-400.640	Division of Learning Services		42 MoReg 1581		
5 CSR 20-500.310	Division of Learning Services		42 MoReg 1760R		
5 CSR 20-500.340	Division of Learning Services		42 MoReg 1760R		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-4.010	Commissioner of Higher Education		43 MoReg 123		
DEPARTMENT OF TRANSPORTATION					
7 CSR	Department of Transportation				41 MoReg 845
7 CSR 10-1.010	Missouri Highways and Transportation Commission		42 MoReg 1643		
7 CSR 10-2.020	Missouri Highways and Transportation Commission		43 MoReg 529		
7 CSR 10-3.010	Missouri Highways and Transportation Commission		42 MoReg 1825		
7 CSR 10-3.020	Missouri Highways and Transportation Commission		42 MoReg 1831		
7 CSR 10-3.030	Missouri Highways and Transportation Commission		42 MoReg 1832		
7 CSR 10-4.010	Missouri Highways and Transportation Commission		42 MoReg 1833		
7 CSR 10-4.020	Missouri Highways and Transportation Commission		42 MoReg 1834		
7 CSR 10-5.010	Missouri Highways and Transportation Commission		42 MoReg 1412	43 MoReg 588	
7 CSR 10-6.020	Missouri Highways and Transportation Commission		42 MoReg 1413	43 MoReg 588	
7 CSR 10-6.030	Missouri Highways and Transportation Commission		42 MoReg 1414	43 MoReg 588	
7 CSR 10-6.040	Missouri Highways and Transportation Commission		42 MoReg 1415	43 MoReg 589	
7 CSR 10-6.050	Missouri Highways and Transportation Commission		42 MoReg 1416	43 MoReg 589	
7 CSR 10-6.060	Missouri Highways and Transportation Commission		42 MoReg 1417	43 MoReg 589	
7 CSR 10-6.070	Missouri Highways and Transportation Commission		42 MoReg 1418	43 MoReg 589	
7 CSR 10-6.080	Missouri Highways and Transportation Commission		42 MoReg 1419	43 MoReg 589	
7 CSR 10-6.085	Missouri Highways and Transportation Commission		42 MoReg 1420	43 MoReg 590	
7 CSR 10-6.090	Missouri Highways and Transportation Commission		42 MoReg 1423	43 MoReg 590	
7 CSR 10-6.100	Missouri Highways and Transportation Commission		42 MoReg 1424	43 MoReg 590	
7 CSR 10-7.010	Missouri Highways and Transportation Commission		42 MoReg 1645		
7 CSR 10-8.005	Missouri Highways and Transportation Commission		43 MoReg 252		
7 CSR 10-8.011	Missouri Highways and Transportation Commission		43 MoReg 253R		
			43 MoReg 253		
7 CSR 10-8.021	Missouri Highways and Transportation Commission		43 MoReg 254R		
7 CSR 10-8.031	Missouri Highways and Transportation Commission		43 MoReg 254R		
7 CSR 10-8.041	Missouri Highways and Transportation Commission		43 MoReg 255R		
7 CSR 10-8.051	Missouri Highways and Transportation Commission		43 MoReg 255R		
7 CSR 10-8.061	Missouri Highways and Transportation Commission		43 MoReg 255R		
			43 MoReg 256		
7 CSR 10-8.071	Missouri Highways and Transportation Commission		43 MoReg 257R		
7 CSR 10-8.081	Missouri Highways and Transportation Commission		43 MoReg 257R		
7 CSR 10-8.091	Missouri Highways and Transportation Commission		43 MoReg 257R		
7 CSR 10-8.101	Missouri Highways and Transportation Commission		43 MoReg 258R		
7 CSR 10-8.111	Missouri Highways and Transportation Commission		43 MoReg 258R		
7 CSR 10-8.121	Missouri Highways and Transportation Commission		43 MoReg 258R		
			43 MoReg 259		
7 CSR 10-8.131	Missouri Highways and Transportation Commission		43 MoReg 260R		
7 CSR 10-8.141	Missouri Highways and Transportation Commission		43 MoReg 260R		
7 CSR 10-8.151	Missouri Highways and Transportation Commission		43 MoReg 260R		
7 CSR 10-8.161	Missouri Highways and Transportation Commission		43 MoReg 261R		
7 CSR 10-12.010	Missouri Highways and Transportation Commission		42 MoReg 1646		
7 CSR 10-12.020	Missouri Highways and Transportation Commission		42 MoReg 1646		
7 CSR 10-12.030	Missouri Highways and Transportation Commission		42 MoReg 1647		
7 CSR 10-13.010	Missouri Highways and Transportation Commission		43 MoReg 530R		
7 CSR 10-16.020	Missouri Highways and Transportation Commission		43 MoReg 530		
7 CSR 10-16.025	Missouri Highways and Transportation Commission		43 MoReg 531		
7 CSR 10-16.035	Missouri Highways and Transportation Commission		43 MoReg 531		
7 CSR 10-16.045	Missouri Highways and Transportation Commission		43 MoReg 532		
7 CSR 10-16.050	Missouri Highways and Transportation Commission		43 MoReg 533		
7 CSR 10-17.020	Missouri Highways and Transportation Commission		42 MoReg 1648		
7 CSR 10-17.030	Missouri Highways and Transportation Commission		42 MoReg 1651		
7 CSR 10-17.040	Missouri Highways and Transportation Commission		42 MoReg 1652		
7 CSR 10-17.050	Missouri Highways and Transportation Commission		42 MoReg 1653		
7 CSR 10-17.060	Missouri Highways and Transportation Commission		42 MoReg 1654		
7 CSR 10-18.020	Missouri Highways and Transportation Commission		42 MoReg 91		
			42 MoReg 1655		
7 CSR 10-19.010	Missouri Highways and Transportation Commission		42 MoReg 93R		
7 CSR 10-24.010	Missouri Highways and Transportation Commission		43 MoReg 39		
7 CSR 10-24.020	Missouri Highways and Transportation Commission		43 MoReg 41		
7 CSR 10-24.030	Missouri Highways and Transportation Commission		43 MoReg 41		
7 CSR 10-24.050	Missouri Highways and Transportation Commission		43 MoReg 42		
7 CSR 10-24.060	Missouri Highways and Transportation Commission		43 MoReg 43		
7 CSR 10-24.070	Missouri Highways and Transportation Commission		43 MoReg 43		
7 CSR 10-24.080	Missouri Highways and Transportation Commission		43 MoReg 43		
7 CSR 10-24.100	Missouri Highways and Transportation Commission		43 MoReg 44		
7 CSR 10-24.110	Missouri Highways and Transportation Commission		43 MoReg 44		
7 CSR 10-24.120	Missouri Highways and Transportation Commission		43 MoReg 45		
7 CSR 10-24.140	Missouri Highways and Transportation Commission		43 MoReg 45		
7 CSR 10-24.200	Missouri Highways and Transportation Commission		43 MoReg 46		
7 CSR 10-24.210	Missouri Highways and Transportation Commission		43 MoReg 46		
7 CSR 10-24.300	Missouri Highways and Transportation Commission		43 MoReg 46		
7 CSR 10-24.330	Missouri Highways and Transportation Commission		43 MoReg 47		
7 CSR 10-27.020	Missouri Highways and Transportation Commission		42 MoReg 1656		
7 CSR 10-27.040	Missouri Highways and Transportation Commission		42 MoReg 1656		
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		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
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 265-9.010	Motor Carrier and Railroad Safety		42 MoReg 1657		
7 CSR 265-9.020	Motor Carrier and Railroad Safety		42 MoReg 1658		
7 CSR 265-9.040	Motor Carrier and Railroad Safety		42 MoReg 1659R		
7 CSR 265-9.050	Motor Carrier and Railroad Safety		42 MoReg 1659		
7 CSR 265-9.060	Motor Carrier and Railroad Safety		42 MoReg 1660R		
7 CSR 265-9.070	Motor Carrier and Railroad Safety		42 MoReg 1660		
7 CSR 265-9.090	Motor Carrier and Railroad Safety		42 MoReg 1661R		
7 CSR 265-9.100	Motor Carrier and Railroad Safety		42 MoReg 1661		
7 CSR 265-9.110	Motor Carrier and Railroad Safety		42 MoReg 1661		
7 CSR 265-9.130	Motor Carrier and Railroad Safety		42 MoReg 1662		
7 CSR 265-9.140	Motor Carrier and Railroad Safety		42 MoReg 1662R		
7 CSR 265-9.150	Motor Carrier and Railroad Safety		42 MoReg 1663R		
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR	Department of Labor and Industrial Relations				41 MoReg 845
8 CSR 10-5.015	Division of Employment Security		43 MoReg 7		
DEPARTMENT OF MENTAL HEALTH					
9 CSR	Department of Mental Health				41 MoReg 845
9 CSR 25-2.005	Fiscal Management		This Issue		
9 CSR 25-2.105	Fiscal Management		This Issue		
9 CSR 25-2.305	Fiscal Management		This Issue		
9 CSR 25-2.405	Fiscal Management		This Issue		
9 CSR 25-2.505	Fiscal Management		This Issue		
9 CSR 25-3.040	Fiscal Management		This Issue		
9 CSR 30-3.022	Certification Standards		43 MoReg 261R		
9 CSR 30-3.201	Certification Standards		This Issue		
9 CSR 30-3.202	Certification Standards		This Issue		
9 CSR 30-3.204	Certification Standards		This Issue		
9 CSR 30-3.206	Certification Standards		This Issue		
9 CSR 30-3.208	Certification Standards		This Issue		
9 CSR 45-4.010	Division of Developmental Disabilities		42 MoReg 1761		
9 CSR 45-6.010	Division of Developmental Disabilities		43 MoReg 261R		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR	Department of Natural Resources				41 MoReg 845
10 CSR 1-1.010	Director's Office		This Issue		
10 CSR 1-2.030	Director's Office		43 MoReg 134R		
10 CSR 10-2.310	Air Conservation Commission		43 MoReg 262R		
10 CSR 10-2.360	Air Conservation Commission		43 MoReg 262R		
10 CSR 10-3.160	Air Conservation Commission		43 MoReg 262R		
10 CSR 10-5.120	Air Conservation Commission		43 MoReg 263R		
10 CSR 10-5.130	Air Conservation Commission		43 MoReg 263R		
10 CSR 10-5.450	Air Conservation Commission		43 MoReg 264R		
10 CSR 10-6.100	Air Conservation Commission		43 MoReg 264R		
10 CSR 10-6.350	Air Conservation Commission		43 MoReg 265R		
10 CSR 10-6.360	Air Conservation Commission		43 MoReg 265R		
10 CSR 20-1.010	Clean Water Commission		43 MoReg 134R		
10 CSR 20-1.020	Clean Water Commission		43 MoReg 135R		
10 CSR 20-4.020	Clean Water Commission		43 MoReg 135R		
10 CSR 20-4.021	Clean Water Commission		43 MoReg 135R		
10 CSR 20-4.022	Clean Water Commission		43 MoReg 135R		
10 CSR 20-4.043	Clean Water Commission		43 MoReg 136R		
10 CSR 20-4.049	Clean Water Commission		43 MoReg 136R		
10 CSR 20-4.060	Clean Water Commission		43 MoReg 136R		
10 CSR 20-4.070	Clean Water Commission		43 MoReg 137R		
10 CSR 20-7.031	Clean Water Commission		42 MoReg 1424	43 MoReg 590	
10 CSR 22-1.010	Dam and Reservoir Safety Council		43 MoReg 137R		
10 CSR 22-1.030	Dam and Reservoir Safety Council		43 MoReg 137R		
10 CSR 22-2.060	Dam and Reservoir Safety Council		43 MoReg 137R		
10 CSR 22-4.010	Dam and Reservoir Safety Council		43 MoReg 138R		
10 CSR 23-1.020	Division of Geology and Land Survey		43 MoReg 138R		
10 CSR 23-3.025	Division of Geology and Land Survey		43 MoReg 138R		
10 CSR 24-2.010	Hazardous Substance Emergency Response Office		43 MoReg 138R		
10 CSR 24-3.010	Hazardous Substance Emergency Response Office		43 MoReg 139R		
10 CSR 25-1.010	Hazardous Waste Management Commission		43 MoReg 265R		
10 CSR 25-17.010	Hazardous Waste Management Commission		43 MoReg 266R		
10 CSR 25-17.020	Hazardous Waste Management Commission		43 MoReg 266R		
10 CSR 25-17.030	Hazardous Waste Management Commission		43 MoReg 266R		
10 CSR 25-17.040	Hazardous Waste Management Commission		43 MoReg 267R		
10 CSR 25-17.050	Hazardous Waste Management Commission		43 MoReg 267R		
10 CSR 25-17.060	Hazardous Waste Management Commission		43 MoReg 267R		
10 CSR 25-17.070	Hazardous Waste Management Commission		43 MoReg 268R		
10 CSR 25-17.080	Hazardous Waste Management Commission		43 MoReg 268R		
10 CSR 25-17.090	Hazardous Waste Management Commission		43 MoReg 268R		
10 CSR 25-17.100	Hazardous Waste Management Commission		43 MoReg 269R		
10 CSR 25-17.110	Hazardous Waste Management Commission		43 MoReg 269R		
10 CSR 25-17.120	Hazardous Waste Management Commission		43 MoReg 269R		
10 CSR 25-17.130	Hazardous Waste Management Commission		43 MoReg 270R		
10 CSR 25-17.140	Hazardous Waste Management Commission		43 MoReg 270R		
10 CSR 25-17.150	Hazardous Waste Management Commission		43 MoReg 270R		
10 CSR 25-17.160	Hazardous Waste Management Commission		43 MoReg 271R		
10 CSR 25-17.170	Hazardous Waste Management Commission		43 MoReg 271R		
10 CSR 26-1.010	Petroleum and Hazardous Substance Storage Tanks		43 MoReg 271R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 30-1.010	Land Survey		42 MoReg 1584R	43 MoReg 472R	
10 CSR 30-2.010	Land Survey		42 MoReg 1584R	43 MoReg 472R	
10 CSR 30-2.020	Land Survey		42 MoReg 1584R	43 MoReg 472R	
10 CSR 30-2.030	Land Survey		42 MoReg 1585R	43 MoReg 472R	
10 CSR 30-2.040	Land Survey		42 MoReg 1585R	43 MoReg 473R	
10 CSR 30-2.050	Land Survey		42 MoReg 1585R	43 MoReg 473R	
10 CSR 30-2.060	Land Survey		42 MoReg 1585R	43 MoReg 473R	
10 CSR 30-2.070	Land Survey		42 MoReg 1586R	43 MoReg 473R	
10 CSR 30-2.080	Land Survey		42 MoReg 1586R	43 MoReg 473R	
10 CSR 30-2.090	Land Survey		42 MoReg 1586R	43 MoReg 473R	
10 CSR 30-2.100	Land Survey		42 MoReg 1587R	43 MoReg 474R	
10 CSR 30-2.110	Land Survey		42 MoReg 1587R	43 MoReg 474R	
10 CSR 40-1.010	Land Reclamation Commission		43 MoReg 272R		
10 CSR 40-2.010	Land Reclamation Commission		43 MoReg 272R		
10 CSR 40-2.020	Land Reclamation Commission		43 MoReg 272R		
10 CSR 40-2.030	Land Reclamation Commission		43 MoReg 273R		
10 CSR 40-2.040	Land Reclamation Commission		43 MoReg 273R		
10 CSR 40-2.050	Land Reclamation Commission		43 MoReg 273R		
10 CSR 40-2.060	Land Reclamation Commission		43 MoReg 273R		
10 CSR 40-2.070	Land Reclamation Commission		43 MoReg 274R		
10 CSR 40-2.080	Land Reclamation Commission		43 MoReg 274R		
10 CSR 40-2.090	Land Reclamation Commission		43 MoReg 274R		
10 CSR 40-2.100	Land Reclamation Commission		43 MoReg 274R		
10 CSR 40-2.110	Land Reclamation Commission		43 MoReg 275R		
10 CSR 40-10.060	Land Reclamation Commission		43 MoReg 275R		
10 CSR 40-10.090	Land Reclamation Commission		43 MoReg 275R		
10 CSR 45-1.010	Metallic Minerals Waste Management		43 MoReg 275R		
10 CSR 50-1.010	Oil and Gas Council		43 MoReg 139R		
10 CSR 60-1.010	Safe Drinking Water Commission		43 MoReg 139R		
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10 CSR 70-7.150	Soil and Water Districts Commission		43 MoReg 142R		
10 CSR 70-8.010	Soil and Water Districts Commission		43 MoReg 143R		
10 CSR 70-8.020	Soil and Water Districts Commission		43 MoReg 143R		
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10 CSR 70-8.090	Soil and Water Districts Commission		43 MoReg 145R		
10 CSR 70-8.100	Soil and Water Districts Commission		43 MoReg 145R		
10 CSR 70-8.110	Soil and Water Districts Commission		43 MoReg 146R		
10 CSR 70-8.120	Soil and Water Districts Commission		43 MoReg 146R		
10 CSR 80-1.010	Solid Waste Management		43 MoReg 146R		
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10 CSR 80-9.040	Solid Waste Management		43 MoReg 148R		
10 CSR 80-10.040	Solid Waste Management		43 MoReg 148R		
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10 CSR 90-2.060	State Parks		43 MoReg 149R		
10 CSR 90-3.050	State Parks		43 MoReg 149R		
10 CSR 90-3.060	State Parks		43 MoReg 149R		
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10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund Board of Trustees		43 MoReg 545		
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11 CSR 45-62.205	Missouri Gaming Commission		43 MoReg 70R		
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11 CSR 45-62.260	Missouri Gaming Commission		43 MoReg 72R		
11 CSR 45-65.010	Missouri Gaming Commission		43 MoReg 72R		
11 CSR 45-65.020	Missouri Gaming Commission		43 MoReg 72R		
11 CSR 45-65.030	Missouri Gaming Commission		43 MoReg 72R		
11 CSR 45-65.035	Missouri Gaming Commission		43 MoReg 73R		
11 CSR 45-65.040	Missouri Gaming Commission		43 MoReg 73R		
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11 CSR 45-70.040	Missouri Gaming Commission		43 MoReg 74R		
11 CSR 45-80.010	Missouri Gaming Commission		43 MoReg 75R		
11 CSR 45-80.020	Missouri Gaming Commission		43 MoReg 75R		
11 CSR 45-80.030	Missouri Gaming Commission		43 MoReg 75R		
11 CSR 45-80.040	Missouri Gaming Commission		43 MoReg 76R		
11 CSR 45-80.050	Missouri Gaming Commission		43 MoReg 76R		
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12 CSR 10-4.010	Director of Revenue		43 MoReg 393R		
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12 CSR 30-3.040	State Tax Commission		43 MoReg 8R		
12 CSR 30-3.050	State Tax Commission		43 MoReg 8R		
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12 CSR 40-15.010	State Lottery		43 MoReg 161R		
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12 CSR 40-40.070	State Lottery		43 MoReg 163R		
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12 CSR 40-50.010	State Lottery		43 MoReg 166		
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12 CSR 40-60.040	State Lottery		43 MoReg 168		
12 CSR 40-60.050	State Lottery		43 MoReg 168R		
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13 CSR 40-34.070	Family Support Division		42 MoReg 1588R	This IssueR	
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13 CSR 40-59.030	Family Support Division		43 MoReg 277R		
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13 CSR 110-4.010	Division of Youth Services		43 MoReg 279R		
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15 CSR 30-120.050	Secretary of State	42 MoReg 1299	42 MoReg 1320	43 MoReg 291	
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19 CSR 10-15.030	Office of the Director		42 MoReg 1769	43 MoReg 618	
19 CSR 10-15.040	Office of the Director		42 MoReg 1770R	43 MoReg 619R	
19 CSR 10-15.050	Office of the Director	42 MoReg 1752	42 MoReg 1770	43 MoReg 619	
19 CSR 10-33.010	Office of the Director		42 MoReg 1774	43 MoReg 620	
19 CSR 10-33.050	Office of the Director		42 MoReg 1774	43 MoReg 620	
19 CSR 15-3.010	Division of Senior and Disability Services		43 MoReg 279R		
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19 CSR 15-3.030	Division of Senior and Disability Services		43 MoReg 280R		
19 CSR 15-3.040	Division of Senior and Disability Services		43 MoReg 280R		
19 CSR 15-3.050	Division of Senior and Disability Services		43 MoReg 280R		
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19 CSR 30-30.061	Division of Regulation and Licensure	42 MoReg 1754	42 MoReg 1785	43 MoReg 624	
19 CSR 30-30.070	Division of Regulation and Licensure		42 MoReg 1789	43 MoReg 624	
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19 CSR 90-1.050	Missouri Senior Rx Program		43 MoReg 283R		
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19 CSR 90-2.010	Missouri Senior Rx Program		43 MoReg 285R		
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20 CSR 2110-2.111	Missouri Dental Board		43 MoReg 10R		
20 CSR 2110-2.132	Missouri Dental Board		43 MoReg 10R		
20 CSR 2110-2.140	Missouri Dental Board		43 MoReg 11R		
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20 CSR 2110-2.170	Missouri Dental Board		43 MoReg 555		
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20 CSR 2200-2.030	State Board of Nursing		43 MoReg 561		
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20 CSR 2200-2.090	State Board of Nursing		43 MoReg 564		
20 CSR 2200-2.100	State Board of Nursing		43 MoReg 565		
20 CSR 2200-2.110	State Board of Nursing		43 MoReg 566		
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2 CSR 30-10.010	Inspection of Meat and Poultry43 MoReg 385	Feb. 9, 2018Aug. 7, 2018
Department of Public Safety			
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11 CSR 50-2.010	Definitions42 MoReg 1751	Oct. 29, 2017April 26, 2018
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12 CSR 10-41.010	Annual Adjusted Rate of Interest42 MoReg 1752	Jan. 1, 2018June 29, 2018
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19 CSR 10-15.050	Complication Plans for Certain Drug- and Chemically- Induced Abortions by Physicians Via Hospitals42 MoReg 1752	Nov. 3, 2017May 1, 2018
Division of Community and Public Health			
19 CSR 20-1.040	Good Manufacturing Practices42 MoReg 1639	Oct. 23, 2017April 20, 2018
Division of Regulation and Licensure			
19 CSR 30-30.061	Complication Plans for Certain Drug- and Chemically- Induced Abortions Via Abortion Facilities42 MoReg 1754	Nov. 3, 2017May 1, 2018
19 CSR 30-40.420	Trauma Center Designation Requirements	This Issue	Feb. 12, 2018Aug. 10, 2018
19 CSR 30-40.750	ST-Segment Elevation Myocardial Infarction (STEMI) Center Designation Application and Review	This Issue	Feb. 12, 2018Aug. 10, 2018
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20 CSR 2220-4.010	General Fees	Next Issue	March 30, 2018Jan. 9, 2019
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22 CSR 10-2.135	Benefit Package Option42 MoReg 1756	Nov. 6, 2017May 4, 2018
22 CSR 10-3.090	Pharmacy Benefit Summary42 MoReg 1757	Jan. 1, 2018June 29, 2018
22 CSR 10-3.135	Benefit Package Option42 MoReg 1758	Nov. 6, 2017May 4, 2018

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<u>2018</u>			
18-02	Declares a State of Emergency and activates the state militia in response to severe weather that began on Feb. 23.	Feb. 24, 2018	This Issue
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget.	Feb. 14, 2018	43 MoReg 519
18-01	Rescinds Executive Order 07-21.	Jan. 4, 2018	43 MoReg 251
<u>2017</u>			
17-24	Designates members of the governor's staff to have supervisory authority over departments, divisions, and agencies of state government.	Nov. 17, 2017	43 MoReg 5
17-23	Advises that state offices will be closed on Friday, November 24, 2017.	Nov. 1, 2017	42 MoReg 1640
17-22	Implements the Emergency Mutual Assistance Compact and activates the state militia to aid the U.S. Virgin Islands in response to Hurricane Maria.	Sept. 20, 2017	42 MoReg 1579
17-21	Governor activates the state militia in anticipation of unrest in the St. Louis region.	Sept. 14, 2017	42 MoReg 1411
17-20	Governor establishes a board of inquiry to review evidence and provide a recommendation on the death sentence for inmate Marcellus Williams.	Aug. 22, 2017	42 MoReg 1361
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget and permanently reducing appropriation lines in the fiscal year 2017 budget.	Aug. 1, 2017	42 MoReg 1307
17-19	Directs the Department of Health and Senior Services, the Department of Mental Health, the Department of Public Safety, the Department of Natural Resources, and the Department of Conservation to identify, train, equip, and assess law enforcement and emergency responder efforts to combat Missouri's Opioid Public Health Crisis.	July 18, 2017	42 MoReg 1229
17-18	Directs the Department of Health and Senior Services to create a prescription drug monitoring program.	July 17, 2017	42 MoReg 1143
Amended Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	July 6, 2017	42 MoReg 1139
17-17	Creates the Missouri Justice Reinvest Taskforce to analyze Missouri's corrections system and recommend improvements.	June 28, 2017	42 MoReg 1067
Proclamation	Governor convenes the Second Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding abortions facilities.	June 7, 2017	42 MoReg 1024
Proclamation	Governor convenes the First Extra Session of the First Regular Session of the Ninety-Ninth General Assembly regarding attracting new jobs to Missouri.	May 18, 2017	42 MoReg 1022
17-16	Temporarily grants the Director of the Missouri Department of Revenue discretionary authority to adjust certain rules and regulations.	May 11, 2017	42 MoReg 909
17-15	Temporarily grants the Director of the Missouri Department of Health and Senior Services discretionary authority to adjust certain rules and regulations.	May 8, 2017	42 MoReg 907
17-14	Temporarily grants the Director of the Missouri Department of Natural Resources discretionary authority to adjust certain environmental rules and regulations.	May 4, 2017	42 MoReg 905
17-13	Activates the state militia in response to severe weather that began on April 28, 2017.	April 30, 2017	42 MoReg 865
17-12	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather beginning on April 28, 2017.	April 28, 2017	42 MoReg 863
17-11	Establishes the Boards and Commissions Task Force to recommend comprehensive executive and legislative reform proposals to the governor by October 31, 2017.	April 11, 2017	42 MoReg 779
17-10	Designates members of the governor's staff to have supervisory authority over departments, divisions, and agencies of state government.	April 7, 2017	42 MoReg 777
17-09	Establishes parental leave for state employees of the executive branch of Missouri state government and encourages other state officials to adopt comparable policies.	March 13, 2017	42 MoReg 429

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17-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to severe weather that began on March 6.	March 7, 2017	42 MoReg 427
17-07	Establishes the Governor's Committee for Simple, Fair, and Low Taxes to recommend proposed reforms to the governor by June 30, 2017.	January 25, 2017	42 MoReg 315
17-06	Orders that the Missouri State Emergency Operations Plan be activated. Further orders state agencies to provide assistance to the maximum extent practicable and directs the Adjutant General to call into service such portions of the organized militia as he deems necessary.	January 12, 2017	42 MoReg 267
17-05	Activates the Missouri State Emergency Operation Center due to severe weather expected to begin on Jan. 12, 2017.	January 11, 2017	42 MoReg 266
17-04	Establishes the position of Chief Operating Officer to report directly to the governor and serve as a member of the governor's executive team.	January 11, 2017	42 MoReg 264
17-03	Orders every state agency to immediately suspend all rulemaking until Feb. 28, 2017, and to complete a review of every regulation under its jurisdiction within the <i>Code of State Regulations</i> by May 31, 2018.	January 10, 2017	42 MoReg 261
17-02	Orders state employees of the executive branch of Missouri state government to follow a specified code of conduct regarding ethics during the Greitens administration.	January 9, 2017	42 MoReg 258
17-01	Rescinds Executive Orders 07-10, 88-26, 98-15, and 05-40 regarding the Governor's Advisory Council on Physical Fitness and Health and the Missouri State Park Advisory Board.	January 6, 2017	42 MoReg 257

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Rulemaking Classes

Are you new to rulemaking or in need of a refresher course to assist you in filing rules or understanding the rulemaking process?

The Administrative Rules Division offers group and individual classes for rule drafting and preparation of rule packets. Please call Amanda at (573) 522-2593 or email amanda.mckay@sos.mo.gov to schedule a class.