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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, 2019 May 15, 2019	June 3, 2019 June 17, 2019	June 30, 2019 June 30, 2019	July 30, 2019 July 30, 2019
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July 1, 2019 July 15, 2019	August 1, 2019 August 15, 2019	August 31, 2019 August 31, 2019	September 30, 2019 September 30, 2019
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November 1, 2019 November 15, 2019	December 2, 2019 December 16, 2019	December 31, 2019 December 31, 2019	January 30, 2020 January 30, 2020

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 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 sos.mo.gov/adrules/csr/csr

The *Register* address is 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 2016. 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 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 10—Food Safety and Meat Inspection**

EMERGENCY AMENDMENT

2 CSR 30-10.010 Inspection of Meat and Poultry. The director is amending section (2).

PURPOSE: This amendment ensures that the current rule language clearly includes the most recent publication of Part 300 to end of Title 9, the *Code of Federal Regulations* for the Missouri Meat and Poultry Inspection Program to be in compliance with federal regulations and maintain "equal to" status as determined by the United States Department of Agriculture/Food Safety and Inspection Service.

EMERGENCY STATEMENT: This emergency amendment is necessary to serve the compelling governmental interest to inform state agencies and the public of the most current adoption of Title 9 *Code of Federal Regulations* Parts 300 to end is incorporated into state regulation. The State Meat and Poultry Inspection (MPI) programs are required to operate in a manner and with authorities that are "at least equal to" the antemortem and postmortem inspection, re-inspection, sanitation, recordkeeping, and enforcement provisions as provided for in the Federal Meat Inspection Act and the Poultry Products Inspection Act. State MPI programs must stay current with and be able to explain how their programs are equal to FSIS regulations to ensure their rules are "at least equal to" USDA/FSIS and

compliance with federal regulations. Therefore, an amendment to clarify the most current federal meat and poultry inspection regulations are being incorporated by reference and provide enforcement authority in Missouri. This regulation applies to approximately thirty-six (36) state inspected meat and poultry establishments and one hundred fifty-five (155) custom exempt plants in Missouri, which as a whole, produces millions of dollars in Missouri's economy. This emergency amendment protects the public health, safety, and/or welfare under a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the *Missouri Register*. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protection extended in the *Missouri* and *United States Constitutions*. The Department of Agriculture believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed July 18, 2019, becomes effective July 28, 2019, and expires February 27, 2020.

(2) The standards used to inspect Missouri meat and poultry slaughter and processing shall be those shown in Part 300 to end of Title 9, the *Code of Federal Regulations* (January 2018/9), herein incorporated by reference and made a part of this rule as published by the United States Superintendent of Documents, 732 N Capitol Street NW, Washington, DC 20402-0001, phone: toll-free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: section 265.020, RSMo 2016. Original rule filed Sept. 14, 2000, effective March 30, 2001. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed July 18, 2019, effective July 28, 2019, expires Feb. 27, 2020. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

EMERGENCY RULE

20 CSR 2220-2.990 Rx Cares For Missouri Program

PURPOSE: This rule establishes the Missouri Board of Pharmacy's medication disposal program as part of the Rx Cares for Missouri Program created by section 338.710, RSMo, and establishes standards/criteria for Program operation and participation.

EMERGENCY STATEMENT: The nation and the state of Missouri continues to grapple with the opioid epidemic that has resulted in unprecedented deaths in Missouri and nationwide. The United States Centers for Disease Control and Prevention has declared a national opioid epidemic and has urged states to take proactive measures to decrease the availability and use of opioid medication to protect lives. Missouri Executive Order 17-18 was subsequently issued which declared "Missouri is facing a public health crisis of epidemic proportions from the unlawful distribution and misuse of opioids." The Executive Order further provided the opioid epidemic "poses a grave danger to Missouri." Although significant efforts have been made to address the opioid abuse, the Director of the Missouri Department of Health and Human Services issued a statement on June 27, 2018, indicating that "the opioid crisis is the number one public health issue Missouri is facing."

One of the factors contributing to the opioid abuse is the availability

of unused, unwanted, or excess controlled substances in a patient's possession. According to the U.S. Drug Enforcement Administration, the collection and destruction of unwanted/unused medication can help prevent opioid addiction, overdoses, and deaths by keeping unused pain medicine out of the wrong hands. In 2018, the Missouri General Assembly approved appropriation for the Missouri Board of Pharmacy for the Rx Cares for Missouri Program which was established to promote medication safety and to prevent prescription drug abuse, misuse, and diversion in Missouri (section 338.710, RSMo). In alignment with this goal, the board solicited vendors to operate a statewide controlled substance collection program that would allow Missouri citizens to securely dispose of unwanted controlled substances at board funded collection sites. The competitive bidding vendor/contracting process was completed in April 2019 and an approved vendor contract awarded by the Missouri Office of Administration in May 2019. The board is proposing this emergency rule to establish the necessary requirements for the implementation and operation of the statewide controlled substance collection/destruction program.

The board has determined this emergency rule is needed to protect Missouri patients by establishing a statewide program for the collection and disposal of unwanted/unused controlled substances to prevent opioid deaths, overdoses, and abuse. Absent an emergency rule to implement the Rx Cares for Missouri Program, the board would be unable to implement the statewide collection program and dangerous controlled drugs may continue to be easily accessible throughout the state. As a result, the Missouri State Board of Pharmacy finds there is an immediate danger to the public health, safety, and/or welfare and a compelling governmental interest that requires this emergency action. A proposed rule, which covers the same material, is published in this issue of the *Missouri Register*. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Missouri State Board of Pharmacy believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed July 18, 2019, becomes effective July 28, 2019, and expires February 27, 2020.

(1) Section 338.710, RSMo, established the "Rx Cares for Missouri Program" within the Board of Pharmacy to promote medication safety and to prevent prescription drug abuse, misuse, and diversion in Missouri. As part of the Rx Cares for Missouri Program, the board is hereby establishing a medication destruction and disposal program (the "Program") for the purposes of collecting unused or unwanted medication from the public for disposal in accordance with state and federal law. Operation of the Program may be delegated to a board approved vendor or third-party.

(2) Eligible Participants. To be eligible for participation, applicants must be physically located in Missouri and currently registered to collect unwanted controlled substances with the United States Drug Enforcement Administration ("DEA") and the Missouri Bureau of Narcotics and Dangerous Drugs ("BNDD") unless exempt from registration by state or federal law. Additionally, the applicant must be—

- (A) A licensed Missouri pharmacy or drug distributor;
- (B) A licensed healthcare provider authorized to prescribe controlled substances;
- (C) A hospital, office, clinic, or other medical institution that provides health care services;
- (D) A federal, state, local, or municipal public health, law enforcement, or other governmental agency, or
- (E) A higher education institution located in Missouri that is accredited by a national or regional accrediting body recognized by the United States Secretary of Education.

(3) Participant Requirements. Approved participants must establish

and operate a public medication collection program in compliance with Program requirements, including, but not limited to, all applicable board or vendor requirements for collecting, submitting, or forwarding medication for destruction and disposal. Participants must promptly enroll in the program after notification of approval is received from the board.

(A) Subject to appropriation, approved Program participants will be provided a collection receptacle and inner liners to be used for collecting medication pursuant to the Program. Participants may alternatively use an existing collection receptacle if approved by the board or the Program vendor. Program participants are responsible for installation of the collection receptacle in accordance with vendor requirements.

(B) Collection receptacles must be physically located in the state of Missouri at an address approved by the board. A board approved sign must be located on or near the receptacle indicating that the collection program has been funded by the Missouri Board of Pharmacy as part of the Rx Cares for Missouri Program. Collection receptacles may not be used to dispose of medication from the pharmacy's inventory.

(C) Medication must be collected and handled in compliance with all state and federal controlled substance laws. Program participants may submit collected medication to the vendor or the vendor's authorized designee for disposal at no cost to the participant up to twelve (12) times per participation year. Program participants may arrange for additional medication disposal at the participant's cost.

(D) Program participants shall notify the board in writing within ten (10) days after ceasing or terminating Program participation. Unless otherwise agreed by the board for good cause, Program participants shall reimburse the board for the cost of the collection receptacle if the participant fails to actively maintain and operate a collection program during the participation year. Collection receptacle costs must be remitted to the board within sixty (60) days after notification from the board.

(4) Application Procedures. Applications to participate in the Program must be submitted to the board on a board approved form and include—

- (A) The applicant's name, address, contact telephone number, and e-mail address;
- (B) The Missouri address where the collection receptacle will be located;
- (C) A copy of the applicant's DEA and BNDD controlled substance collector registrations;
- (D) A description of how the medication collection program will be operated, including operational times and how the program will be advertised to the public;
- (E) A designation of whether the applicant will be using a board approved collection receptacle or supplying their own collection receptacle subject to vendor approval; and
- (F) A description of the need for a medication collection program in the proposed collection site area along with any supporting data or evidence.

(5) Approval Criteria. At the discretion of the board, applicants will be approved for Program participation subject to funding availability. Participation approval shall be valid for one (1) calendar year. The following criteria will be considered by the board when reviewing applications:

- (A) The need for a medication collection program in the proposed collection site area, including, but not limited to, any alternative collection programs/opportunities available;
- (B) Relevant evidence or data regarding drug use, abuse, fatalities, or trends;
- (C) The number of applications submitted or previously approved by the board for the applicant regardless of collection site;
- (D) The nature and structure of the proposed collection program, including, but not limited to, operational times and any public

restrictions;

- (E) Available staff, resources, or expertise;
- (F) Any state, federal, or local disciplinary action, including any pending board complaints or investigations;
- (G) The applicant's compliance with state and federal drug and controlled substance laws;
- (H) The applicant's financial need and available resources; and
- (I) Any other factor that may be relevant to the applicant's ability to participate in or comply with the Program.

(6) Information Sharing. As a condition of participation, applicants must agree that program information collected or maintained by the vendor or the vendor's designee may be disclosed to—

- (A) The board or the board's authorized designee on request; and
- (B) The Missouri Governor and the Missouri General Assembly pursuant to section 338.710, RSMo.

AUTHORITY: sections 338.140 and 338.280, RSMo 2016, and sections 338.142 and 338.710, RSMo Supp. 2018. Emergency rule filed July 18, 2019, effective July 28, 2019, expires Feb. 27, 2020. A proposed rule covering this same material is published in this issue of the Missouri Register.

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

EXECUTIVE ORDER

19-13

WHEREAS, the health and financial well-being of all Missourians is critically important to the Missouri economy. Healthy citizens contribute to increased workplace productivity, which is essential to our State remaining competitive in national and global markets; and

WHEREAS, the Patient Protection and Affordable Care Act was enacted by Congress in March 2010, resulting in a single federal approach to address problems in health insurance markets across the nation; and

WHEREAS, the Missouri health insurance market is not competitive and the number of insurers offering health plans has significantly decreased causing the current market to be highly concentrated; and

WHEREAS, the average premium for health insurance coverage in the individual market in Missouri has risen 264% since 2011; and

WHEREAS, the statewide uninsured rate in 2017 was estimated to be between 8.4% and 9.1%, with 73 counties estimated to have uninsured rates in excess of 13% and 43 counties estimated to have uninsured rates in excess of 15%; and

WHEREAS, in 2019, 101 counties in Missouri have only one insurance carrier offering health insurance plans in the individual market; and

WHEREAS, based on Missouri's experience as evidenced through this data, it is apparent there is no "one size fits all" federal solution to the problem of health care access and insurance affordability; and

WHEREAS, it is imperative that the State of Missouri develop comprehensive and innovative ways to transform the health insurance market in order to meet the needs of all citizens of our state; and

WHEREAS, the Patient Protection and Affordable Care Act provides states with opportunities to innovate outside the parameters of the Act through innovation waivers under Section 1332 of the Act (42 U.S.C. Section 18052):

NOW THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby establish the Missouri Health Insurance Innovation Task Force as follows:

1. The Task Force shall include the Director of the Department of Insurance, Financial Institutions and Professional Registration, or her designee, who shall serve as Chair, and the following members, as appointed by the Governor, unless otherwise specified:
 - a. Two members of the Missouri House of Representatives, appointed by the Speaker of the House of Representatives;
 - b. Two members of the Missouri Senate, appointed by the President Pro Tempore of the Senate;
 - c. An insurance producer who is licensed and currently selling comprehensive health insurance in this state;
 - d. A consumer representative selected from recommendations provided by the Missouri Foundation for Health and the Health Forward Foundation;

- e. A member representing the interests of Missouri hospitals and providers;
 - f. Four representatives of insurance companies licensed and actively writing comprehensive medical expense insurance in this state. Of these, the representatives shall be from active insurers in each of the insurance market segments, as follows: Two representatives shall be selected from the individual market; one representative shall be selected from the small employer group market and one representative shall be selected from the large employer group market; and
 - g. Such other members as the Governor may appoint.
2. The Task Force may hold its initial meeting as soon as a quorum of appointed members has been established.
 3. The purpose of the Missouri Health Insurance Innovation Task Force is to identify and develop concepts that will result in significant innovation in the Missouri health insurance market. These concepts may be used to develop an innovation waiver application under Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. Section 18052), as amended.
 4. The Task Force shall develop concepts that will improve access to affordable insurance options and access to health care services within the state while reducing the state's uninsured rates, with a particular emphasis on increasing access to health care in rural areas of the state. Innovative concepts shall also empower consumer-driven health care and identify ways to incentivize health carriers to enter or expand service areas in the state, again with a specific emphasis on increasing the number of health carriers actively marketing in the rural areas of the state. In all instances, the concepts shall be neutral or positive with regard to the general revenues of the state.
 5. The Chair shall facilitate all meetings in accordance with the Missouri Sunshine Law, Chapter 610, RSMo.
 6. The Department of Insurance, Financial Institutions and Professional Registration shall provide staff support and assistance to the Task Force including, but not limited to, releasing a formal request for information, facilitating public hearings to solicit stakeholder and public comment, and commissioning an actuarial review of waiver concepts to determine the cost, impact, and feasibility of innovation concepts.
 7. The Department of Insurance, Financial Institutions and Professional Registration shall coordinate research activities of the Task Force with the Centers for Medicare and Medicaid Services to develop innovative ways to transform the health insurance markets in Missouri relating to an innovation waiver under Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. Section 18052), as amended.
 8. No later than January 31, 2020, the Chair shall submit a report of the Task Force, which has been approved by a simple majority of the Task Force members. The report shall be submitted to the Governor, with copies of the report delivered to the Speaker of the House of Representatives and the President Pro Tempore of the Senate.
 9. The report shall be public and specify the Task Force's recommended course or courses of action to obtain a Section 1332 waiver. The report shall include the findings and opinions of an actuarial review of the recommendations to ensure the recommended concepts are neutral or positive with regard to the general revenues of the state. The report shall also include a summary of the public hearings and comments received by the Task Force from stakeholders and the public.
 10. The report shall include all such information the Task Force believes necessary for the Governor and General Assembly to consider, evaluate, and authorize the submission of a Section 1332 waiver application by the Department of Insurance, Financial Institutions and Professional Registration on behalf of the State of Missouri.
 11. Upon the submission of the report, the Task Force shall be dissolved, unless reauthorized or superseded by a subsequent Executive Order.

- 12. Members of the Task Force shall not receive any compensation for performance of their duties, but may be reimbursed from the Insurance Dedicated Fund for necessary expenses associated with performance of their duties, subject to the availability of funds.
- 13. This Executive Order shall not be interpreted to permit the Department, or any other state agency, to implement, establish, create, or operate a state-based exchange or to assist or facilitate in the operation of a federally facilitated marketplace as prohibited under Section 376.1186, RSMo.

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 17th day of July, 2019.



MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE

EXECUTIVE ORDER

19-14

WHEREAS, this spring and summer, Missouri has been plagued by record-level flooding across much of the state; and

WHEREAS, more than 80 levees have overtopped, and many of those have been breached from this year's flooding; and

WHEREAS, the impact of such flooding on our citizens and communities has been devastating, costing millions of dollars in property damage; and

WHEREAS, resources are limited to assist with ongoing efforts to clean up and rebuild; and

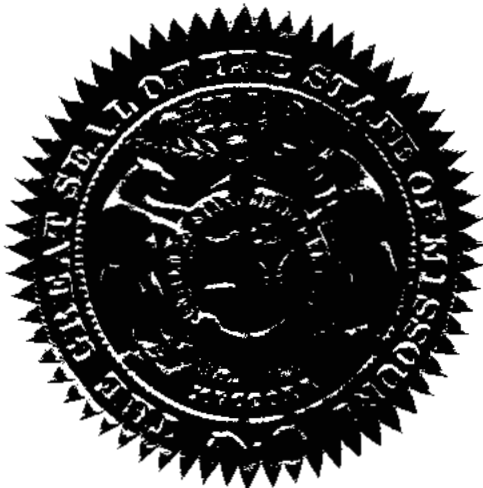
WHEREAS, with extensive levee damage and limited resources, coordination among stakeholders is critical to allocating funds strategically; and

WHEREAS, stakeholder input is needed to provide relevant information to the state as we consider the allocation of state resources and options for levee recovery and conveyance improvement;

NOW THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby establish the Flood Recovery Advisory Working Group as follows:

1. The Working Group shall consist of the following members, or their designees, to be appointed by the Governor, unless otherwise specified:
 - a. The Director of the Department of Natural Resources;
 - b. The Director of the Department of Agriculture;
 - c. The Director of the Department of Economic Development;
 - d. The Director of the State Emergency Management Agency;
 - e. The Director of the Department of Transportation;
 - f. A representative from the Missouri Levee and Drainage District Association, selected by the Association;
 - g. A representative from Missouri Farm Bureau, selected by Farm Bureau;
 - h. A representative from the Missouri Corn Growers Association, selected by the Association;
 - i. A representative from the Missouri Soybean Association, selected by the Association;
 - j. A representative from the Coalition to Protect the Missouri River, selected by the Coalition;
 - k. A representative from the Missouri and Associated Rivers Coalition, selected by the Coalition;
 - l. Two members from county or municipal governments representing local government interests;
 - m. Two members representing agri-businesses or the agriculture industry; and
 - n. Such other members as the Governor may appoint.

2. The purpose of the Flood Recovery Advisory Working Group is to provide input on the state's short-, medium-, and long-term flood recovery priorities and feedback on the state's current levee system with suggested changes to benefit our state and its citizens. The Working Group shall identify areas where attention is needed and provide input on priorities for allocation of state funding as our state recovers from this year's flooding. In addition to addressing short-term repairs to levees, the Working Group shall explore options to improve the conveyance of floodwater through our major rivers.
3. The Departments of Natural Resources and Agriculture shall convene the Working Group, designate a chairperson, and provide staff support and assistance to the Working Group as needed.
4. The Working Group shall submit an initial report to the Governor with findings and suggestions by December 31, 2019 and may submit additional reports as the Working Group determines to be appropriate thereafter. The Working Group shall submit its final report to the Governor by May 31, 2020, at which point the Working Group shall be dissolved unless reauthorized or superseded by a subsequent Executive Order.
5. Members of the Working Group shall not receive any compensation for performance of their duties, but may be reimbursed for necessary expenses associated with performance of their duties, subject to the availability of funds.



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 18th day of July, 2019.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE

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

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

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

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

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

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

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 10—Food Safety and Meat Inspection

PROPOSED AMENDMENT

2 CSR 30-10.010 Inspection of Meat and Poultry. The director is amending section (2).

PURPOSE: This amendment ensures that the current rule language clearly includes the most recent publication of Part 300 to end of Title 9, the Code of Federal Regulations for the Missouri Meat and Poultry Inspection Program to be in compliance with federal regulations and maintain "equal to" status as determined by the United States Department of Agriculture/Food Safety and Inspection Service.

(2) The standards used to inspect Missouri meat and poultry slaughter and processing shall be those shown in Part 300 to end of Title 9,

the *Code of Federal Regulations* (January 201/8/9), herein incorporated by reference and made a part of this rule as published by the United States Superintendent of Documents, 732 N Capitol Street NW, Washington, DC, 20402-0001, phone: toll-free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: section 265.020, RSMo 2016. Original rule filed Sept. 14, 2000, effective March 30, 2001. For intervening history, please consult the Code of State Regulations. Emergency amendment filed July 18, 2019, effective July 28, 2019, expires Feb. 27, 2020. Amended: Filed July 18, 2019.

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

PRIVATE COSTS: 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 the Missouri Department of Agriculture, Dr. Marin DeBauch, PO Box 630, Jefferson City, MO 65102 or by email to Marin.Debauch@mda.mo.gov. To be considered, comments must be received within thirty (30) days of publication of this notice in the Missouri Register. No public hearing is scheduled.

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

PROPOSED AMENDMENT

6 CSR 10-3.020 Guidelines for Student Transfer and Articulation Among Missouri Higher Education Institutions. The commissioner is amending sections (1)–(4), deleting section (5), and renumbering as necessary.

PURPOSE: This amendment sets forth the revised guidelines to promote and facilitate the transfer of students between public institutions of higher education in Missouri.

(1) Introduction. The Coordinating Board for Higher Education is required by statute to "establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state." This rule sets forth those guidelines and is intended to assure that a student with a clear educational objective may complete a degree program in the shortest possible time, whether the student remains in one (1) institution or transfers to another. The coordinating board recognizes that each Missouri college and university has a responsibility for establishing and maintaining standards of expectations for students completing courses, programs, certificates, or degrees. It also recognizes that for effective and efficient transfer of credits between and among these colleges and universities, it is necessary to exercise this responsibility within the context of a statewide system of *[baccalaureate]* postsecondary education. Effective articulation is based upon interinstitutional communication, a mutual respect for institutional integrity, a high degree of flexibility, procedures for identifying problems, and a mechanism for implementing appropriate solutions. Harmonious and equitable consideration of any problem which a student may encounter in moving from one (1) college to another is an ultimate objective of these transfer guidelines.

(2) Definitions.

(A) *[Guidelines as used in this rule means the expected course of action or set of circumstances that apply to decision making in which transfer of credit is involved]* Baccalaureate degree program means the major required for the awarding of a bachelor's degree.

(B) Bachelor's degree or baccalaureate degree means an award that normally requires no more than one hundred twenty (120) semester credit hours except as may be necessary for accreditation or licensure.

[(B)](C) Commissioner means the Commissioner of Higher Education as appointed by the Coordinating Board for Higher Education.

[(C)](C) Coordinating Board means the Co-ordinating Board for Higher Education established by section 173.005.2., RSMo.

(D) Semester credit hour means an institutional activity as defined in 6 CSR 10-4.030(1)(H).

(E) Lower division means courses at a level of comprehension usually associated with freshman and sophomore students and offered during the first two (2) years of a four (4)-year baccalaureate degree program.

(F) Upper division means courses at a level of comprehension usually associated with junior and senior students and offered during the last two (2) years of a four (4)-year baccalaureate degree program.

(G) Junior standing means the student level attained upon satisfactory completion of at least half of the credit hour requirements for completion of a bachelor's degree, usually at least sixty (60) but less than ninety (90) student credit hours.]

(D) Committee on Transfer and Articulation, (COTA) refers to an advisory committee established by the Coordinating Board for Higher Education with responsibility to oversee the implementation of the transfer guidelines and appeals process as set forth in this rule.

(E) Common Course Number Equivalency Matrix (Missouri Transfer Number or "MOTR" Number) refers to the statewide number assigned to the core transfer curriculum courses to promote consistency in course designation and course identification across individual institutions. This designation is to be used only for courses originating at a Missouri institution and reviewed by a faculty discipline group comprised of faculty from Missouri public and/or participating independent higher education institutions.

(F) Coordinating Board means the Coordinating Board for Higher Education created by article IV, section 52 of the *Missouri Constitution*.

(G) Core Curriculum Advisory Committee, (CCAC) refers to an advisory committee established by the Coordinating Board for Higher Education with primary responsibility for assuring course equivalencies and maintaining the core transfer curriculum (CORE 42) and corresponding courses, and shall be comprised of faculty members from Missouri public institutions and participating independent institutions of higher education.

(H) Core Curriculum means the basic competencies to be met, which shall include communicating, higher-order thinking, managing information, valuing, and includes the knowledge areas of social and behavioral sciences, humanities and fine arts, mathematics, life and physical sciences, and communications.

[(H)](I) Degree or certificate means an award or title conferred upon an individual by a college, university or other postsecondary education institution as official recognition for the successful completion of a program or course of study.

[(I)](I) Bachelor's degree or baccalaureate degree means any earned academic degree carrying the title of bachelor, normally requiring at least four (4), but not more than five (5), years of full-time equivalent college level work.

(J) Major means a prescribed course of study which con-

stitutes an area of specialization leading to a recognized certificate or degree.

(K) Baccalaureate degree program means the major required for the awarding of a bachelor's degree.]

(J) Faculty Member refers to a person who is employed full time by a community college or other public or participating independent institution of higher education as a member of the faculty whose primary duties include teaching, research, academic service, or administration.

(K) Faculty Discipline Group refers to review panels comprised of faculty from Missouri's public and independent institutions and established to review courses submitted by Missouri institutions for inclusion in the Higher Education Core Transfer Curriculum (CORE 42).

(L) General education program means a prescribed course of study as defined by institutional faculty and validated by the institution's administration or governing board, distinct from a program major, required of all graduates, and intended to ensure that all graduates possess a common core of college-level skills and knowledge.

(M) Guidelines as used in this rule means the expected course of action or set of circumstances that apply to decision making in which transfer of credit is involved.

(N) Higher Education Core Transfer Curriculum (CORE 42) refers to a standard core curriculum and common course numbering equivalency matrix for lower-division courses to be used at community colleges and other public and participating independent institutions of higher education to facilitate student transfers as provided under sections 178.785 to 178.789, RSMo, effective August 1, 2018.

(O) Independent Institution refers to an approved private institution of higher education meeting the requirements of section 173.1102(2) RSMo, provided it is also either accredited or a candidate for accreditation by the Higher Learning Commission and provided it offers a postsecondary course of instruction at least two (2) years in length leading to the conferral of a degree. Participating independent institutions are those who have signed a Memorandum of Understanding to participate in the CORE 42.

[(M)](P) Institution of higher education as used in the context of this rule means an educational institution under either public or private control which provides a postsecondary course of instruction at least six (6) months in length leading to or directly creditable toward a degree or certificate and which is accredited *[either]* by the *[Commission in Institutions of Higher Education of the North Central Association of Colleges and Schools or another regional accrediting association]* Higher Learning Commission.

[(N)](N) Transfer student means a student entering an institution for the first time with academic credit earned at another institution which is applicable for credit at the institution the student is entering.

(O) Sending institution means the institution of higher education of most recent previous enrollment by a transfer student at which transferable academic credit was earned.

(P) Receiving institution means the institution of higher education at which a transfer student currently desires to enroll and to have previously earned credit applied toward a degree program.

(Q) Native student means a student whose initial college enrollment was at a given institution of higher education and who has not transferred to another institution of higher education since that initial enrollment.]

(Q) Junior standing means the student level attained upon satisfactory completion of at least half of the credit hour requirements for completion of a bachelor's degree, usually at least sixty (60) but less than ninety (90) student credit hours.

(R) Lower division means courses at a level of comprehension usually associated with freshman and sophomore students and

offered during the first two (2) years of a four- (4-) year baccalaureate degree program.

(S) Major means a prescribed course of study which constitutes an area of specialization leading to a recognized certificate or degree.

(T) Native student means a student whose initial college enrollment was at a given institution of higher education following high school graduation, and excluding the summer immediately preceding fall enrollment after high school graduation, and who has not transferred to another institution of higher education since that initial enrollment, or who has earned eleven (11) or fewer academic credits.

(U) Receiving institution means the institution of higher education at which a transfer student currently desires to enroll and to have previously earned credit applied toward a degree program.

(V) Semester credit hour refers to a metric derived from the Carnegie Unit and based on the number of contact hours students spend in class per week in a given semester.

(W) Sending institution means the institution of higher education of most recent previous enrollment by a transfer student at which transferable academic credit was earned.

(X) Transfer student means a student entering an institution for the first time with academic credit earned at another institution which is applicable for credit at the institution the student is entering.

(Y) Upper division means courses at a level of comprehension usually associated with junior and senior students and offered during the last two (2) years of a four- (4-) year baccalaureate degree program.

(3) Applicability of Guidelines. These transfer guidelines are applicable to course credits and related matters for undergraduate students who wish to transfer between Missouri public colleges and universities. The coordinating board also recommends these guidelines to Missouri independent institutions. **All Missouri independent institutions choosing to participate in the CORE 42 will be required to follow the same guidelines required of Missouri public institutions, as a condition of their participation.**

(4) Transfer Policy.

(A) Baccalaureate Degree Program.

1. Determination of the course requirements of the major for a baccalaureate degree, including introductory and related courses, is the prerogative of the four- (4-)/- year institution. The catalog of each four- (4-)/- year institution will state clearly the requirements for each degree program. When required, specific prerequisites will be designated and will be noted in conjunction with the course description. Transfer students who have completed prerequisites will not be required to duplicate study in the area. **Courses taken as part of the Higher Education Core Transfer Curriculum (CORE 42) shall transfer to all public two- (2-) year and four- (4-) year institutions and participating independent institutions and will count toward completion of general education. And, if a specific course designated as part of the CORE 42 serves as a prerequisite to another course, or fulfills major or graduation requirements for native students, it shall serve that same role for the purpose of transfer.** The catalog will specify any restrictions or limitations for additional major requirements.

2. A baccalaureate degree program or major consists of a coherent grouping of courses or subject area requirements in a specific discipline or program field. Generally, the number of credit hours required for a major extends from thirty to forty-eight (30–48)-semester credit hours but there may be exceptions to this in the case of highly specialized professions or disciplines, interdisciplinary studies, or majors in general liberal arts studies.

(B) General Education.

1. A student's first two (2) years in college may include introductory courses and other courses which permit the student to

explore areas of specialization that can be pursued at a later time at the baccalaureate level. In a two- (2-)/- year college transfer program, the courses should be adequate in content to be counted fully toward the baccalaureate degree for transfer students continuing in a particular field.

2. Each institution of higher education in Missouri fosters a program of general education. These general education programs typically follow one (1) of three (3) models, that is, competency-based programs; topical or thematic programs; or distributional programs. Among Missouri's higher education institutions, especially in the public sector, virtually all general education programs are currently distributional in character and consist of a set of courses composed of a specific number of semester credit hours within a pattern of curricular areas of study.

3. Although the general education requirement may vary from institution to institution, it represents an institutional statement, developed by the faculty and given ultimate validation by the college's administration or governing board, about the general body of knowledge and skills which should be possessed by the recipient of that college's degree.

4. Consistent with its mission, each public higher education institution in Missouri shall develop and shall promulgate a program of general education. After a Missouri institution of higher education has developed and published its program of general education, the integrity of that program will be recognized by other institutions within the state. *[However,]*

5. *[f]For the purpose of facilitating transfer between institutions in the state, institutions shall accept in transfer [a general education program of at least thirty-nine (39) semester credit hours] the Missouri Higher Education Core Transfer Curriculum (CORE 42), a general education program comprised of at least forty-two (42) semester credit hours which shall consist of, but not be limited to, the distribution of courses specified in subparagraphs (4)(B)[4.15.A.–E. and which shall satisfy sections [170.011] 178.785-178.789, RSMo. [With the exception of laboratory courses, all references to courses are assumed to be those which entail a minimum of three (3) credit hours on a semester basis.]]* Such a distribution of courses shall be deemed as meeting the general education requirements of the receiving institution. *[This basic program] The framework for Missouri's CORE is designed for students to obtain the basic competencies of Valuing, Managing Information, Communicating, and Higher-Order Thinking through the completion of at least forty-two (42) semester credit hours and shall consist of college-level (nonremedial) course work or its equivalent [in] distributed across each of the following [curricular] knowledge areas: [See acceptance of pass/fail credit, credit by examination, advanced placement credit and credit for experiential learning.]*

A. Communication skills *[in the English language, three (3) courses—at least two (2) of which must be written; one (1) oral communication course is recommended;] a minimum of nine (9) semester credit hours are required, with a minimum of six (6) semester credit hours in written communications and a minimum of three (3) semester credit hours in oral communications;*

B. Humanities and Fine Arts, *[three (3) courses from at least two (2) disciplines;] a minimum of nine (9) semester credit hours are required, from at least two (2) disciplines and no more than three (3) credit hours of performance courses that can be applied to the Humanities and Fine Arts Knowledge Area and to the total CORE 42;*

C. *[Physical and/or biological sciences] Natural Sciences, [two (2) courses] a minimum of seven (7) semester credit hours are required, from at least two (2) disciplines, including at least one (1) with [its associated] a laboratory component;*

D. *[Mathematics, one (1) course—college algebra, an alternative course that includes a significant component of*

college algebra, or a course which has college algebra as a prerequisite and;] **Mathematical Sciences**, a minimum of three (3) semester credit hours are required. **Mathematical Sciences courses that use one of the pathway courses as a prerequisite will meet the general education credit for mathematical sciences. For example, Calculus meets the general education math requirement since Pre-Calculus Algebra is a prerequisite; and**

E. Social and [b]Behavioral Sciences, [three (3) courses from at least two (2) disciplines] a minimum of nine (9) semester credit hours are required, from at least two (2) disciplines, and including at least one (1) Civics course.

[5.]6. All institutions shall recognize the validity of other institutions' general education requirements when the minimum requirements as specified in subparagraphs (4)(B)[4.]5.A.-E. are met. However, some foreign language and/or upper division general education courses or upper division graduation requirements may be required by the receiving institution whenever all native students are obligated to satisfy the same requirements.

[6.]7. [Baccalaureate p]Professional schools or programs, [may specify exceptions to the credit hour and course distribution minimums established in this section by promulgating these exceptions and by establishing specialized articulation programs related to associate of science degrees as detailed in paragraph (4)(C)2. of the college transfer guidelines. In these instances, transferring students are not exempted from satisfying the specialized lower division requirements of departments or divisions of an institution into which a student wishes to transfer.] because of licensure and accreditation requirements, are exempt from formulating general education programs according to the distributional requirements established within this rule. However, institutions are encouraged to establish specialized articulation programs. In these instances, transferring students are not exempted from satisfying the specialized lower division requirements of departments or divisions of an institution into which a student wishes to transfer.

8. Students who have completed all of the requirements for completion of a general education program shall have their transcript notated as "General Education Complete" or "CORE 42 Complete."

(C) Associate Degrees.

1. Associate of Arts Degree.

A. An associate of arts degree (AA) is a two- (2-)[-] year degree which indicates the completion of a student's lower division general education requirements. It is also a specific transfer degree for entry, at the junior level, into the general range of baccalaureate degree programs offered by a four- (4-)[-] year college.

B. The receiving institution is not obligated to accept transfer credit which exceeds the minimum number of credits the sending institution has established for awarding the associate level degree. This degree is not normally awarded in a program area.

2. [Associate of Science Degree.] **Other associate degrees. All other associate degrees will be evaluated on a course-by-course basis.**

[A. An associate of science degree (AS) is a specialized degree which is intended for transfer into a preprofessional program. It should result from careful planning and agreement between specific two (2)-year and four (4)-year institutions.

B. These programs will be developed by consultation between sending and receiving institutions on a program-by-program basis. This may involve changes in general education requirements. The following factors should be recognized:

(I) *Junior standing is guaranteed to the transfer student only if curricular details have been agreed upon by the sending institution and the receiving institution, and junior standing can be guaranteed only if the student has received the appropriate AS degree; and*

(II) *Students who receive a specialized AS degree do not automatically qualify for junior standing in any other program. If these students enroll in any other degree program, they may have to take additional general education courses. In evaluating the students' transcripts, the receiving institution will make every attempt to avoid duplication of effort and the imposition of unnecessary burdens upon the students.*

3. *Associate of Applied Science Degree. An associate of applied science degree (AAS) is the main occupationally oriented degree. The primary purpose of this degree is to prepare a student for entry into a particular occupation upon the completion of the degree. It is not intended as a transfer degree into a four (4)-year program and contains courses which are not primarily designed for transfer. Students should expect a receiving institution to evaluate course credits on the basis of applicability of each course to the requirements of the student's major field of baccalaureate study. Each four (4)-year institution is encouraged to develop admission policies which will facilitate the transfer and consider all factors indicating the success of transfer students who have the AAS degree or a certificate. It is anticipated that the AAS degree will be the main degree used by colleges to describe nontransfer vocational program.*

4. *Other associate degrees. All other associate degrees will be evaluated on a course-by-course basis.]*

(D) [Transfer Without a Degree.] **Course-By-Course Transfer.** After an institution of higher learning in Missouri has developed and published its program of general education, the integrity of the program will be recognized by the other institutions in Missouri. Once students have been certified, [at the request of the receiving institution or] and the transcript notated, that the student [as having,] has satisfactorily completed [satisfactorily] the prescribed general education program [of not fewer than thirty-nine (39) semester hours] or **CORE 42**, as specified in this document, no other public or participating institution of higher learning in Missouri will require further lower division courses in their general education program except as provided in subsections (4)(B) and (E). **However, [S]students transferring without completing the prescribed general education program shall be subject to the general education requirements of the receiving institution at the time of their admission to that institution. For students transferring with courses that have been assigned a Missouri statewide transfer number (MOTR number), the following rules apply pursuant to sections 178.785-178.789, RSMo:**

1. **MOTR courses taken as part of CORE 42 will transfer as equivalent to all Missouri public two- (2-) year and four- (4-) year institutions and participating independent institutions of higher education and will count toward completion of general education;**

2. **If a specific institution's course designated as a MOTR course serves as a prerequisite to another course, or fulfills major or graduation requirements for native students, it shall also serve in that same role for the purpose of transfer; and**

3. **Transfer students must meet the same institutional requirements as native students in regard to institutional admission, program admission, transferability of credit, and transferability of course grades in accordance with subsections (4)(E), (F), (I), and (J) of this rule.**

(E) Institutional Admission.

1. The core of any orderly transfer process is the mutual acceptance of the nature and purpose of the associate of arts degree. This degree shall be transferable upon—

A. Completion of a minimum of sixty (60) semester hours of college-level work oriented toward a baccalaureate degree;

B. Completion of an institutionally approved general education program of not fewer than [thirty-nine (39)] **forty-two (42) semester hours or the CORE 42 general education program**, as

defined in subsection (4)(B); and

C. Achievement of a cumulative grade point average of not less than 2.0 (A = 4.0, B = 3.0, C = 2.0, D = 1.0, F = 0.0) provided that only the final grade received in courses repeated by the student shall be used in computing this average.

2. Students holding associate of arts degrees oriented toward the baccalaureate degree with a grade point average of 2.0 or above, as validated by a regionally accredited associate degree granting institution, are admitted to a baccalaureate degree granting institution, but not necessarily to a program (see subsection (4)(F)), as—

A. Having junior standing; and

B. Having fulfilled lower division general education requirements. However, this does not exempt the student from meeting the specialized lower division requirements of departments or divisions of the school to which a student transfers provided such exceptions to the basic general education and CORE 42 requirements have been promulgated in accordance with subsections (4)(B) and (C).

3. Students transferring without the associate of arts degree must meet the admission requirements of the receiving institution.

4. If any institution of higher education finds it necessary to select from among qualified transfer students, its criteria for admission will be stated in its official publications. These publications will be on file with the Coordinating Board for Higher Education.

(F) Program Admission. Transfer students will be admitted to programs based on the same criteria established for the native students of the receiving institution. Admission to a specific baccalaureate degree program may result in a different computation of the grade point average (GPA).

(G) Catalog.

1. Transfer students shall be subject to the same regulations regarding applicability of catalog requirements as native students. *[For example, if native students of the receiving institution are governed by the catalog in force at the time of their initial enrollment, provided subsequent enrollment is continuous, then the catalog of the receiving institution in effect at the time of the transfer student's initial enrollment in the sending institution will govern that student's degree requirements, provided that the student has had continuous enrollment and remains in the same degree program. If continuous enrollment has not been maintained, or if the student changes his/her program objective, the catalog in effect at the time of the student's most recent continuous enrollment in the sending institution or admission to the receiving institution, as applicable, shall be followed. If the receiving institution states that native students shall be governed by the catalog in effect at the time they are formally admitted to a degree program or at the time they achieve upper division status, then the same regulations shall apply to transfer students.]*

2. Pursuant to section 178.786.2, RSMo, each Missouri public two- (2-) year and four- (4-) year and participating independent institutions will, in order to facilitate the seamless transfer of the Higher Education Core Transfer Curriculum (CORE 42) and associated courses, include in its catalog listings the applicable course numbers from the common course numbering equivalency matrix (MOTR number).

(H) Change in Major. When students initiate changes in their stated major or degree objectives, those students assume full responsibility for meeting the specified new degree and/or major requirements. Students contemplating transfer from a two- (2-)/- (1-) year vocational/technical program into a baccalaureate program in the same field of study should expect additional major and degree requirements and should not expect automatic junior standing in the major. Students planning to transfer into a different field of study should seek pretransfer counsel from the sending or receiving institution regarding required courses in the program which they plan to pursue and the evaluation of credits already earned, as they apply to the particular baccalaureate program to be pursued.

(I) Transfer of Credit. Credit earned in or transferred from a community college shall normally be limited to approximately half the baccalaureate degree program requirement, and to the first two (2) years of the undergraduate educational experience.

(J) Transfer of Grades. The academic record at a given institution will include all courses attempted. Grades of "D" or better earned in college-level work at an accredited or approved institution of higher education should receive full credit when transferred to another college or university. However, the receiving institution will treat all grades on courses attempted on the same basis as that of the native student. For example, if the native student is required to repeat a "D" grade in a specified course, a transfer student will also be required to repeat the "D" grade in the same course.

(K) Credit by Examination, Experiential Learning, and Pass/fail Credit.

1. Pass/fail credit will be transferred and treated by the receiving institution in the same way pass/fail credit is treated for native students.

2. Advanced placement, credit by examination, and credit for experiential learning will be transcribed and clearly defined. Course equivalency for credit by examination may be listed as desired. The receiving institution shall transfer and treat credit earned through advanced placement, credit by examination, and credit for experiential learning in the same manner as it would for native students except that the integrity of the associate degree will not be invalidated.

3. The policies for awarding credit by examination and nontraditional learning vary from one (1) institution to another. Each institution will publish information about its policies for awarding credit by nontraditional modes, including name of tests which are used to assess credit, cut-off scores, deadline dates for submission of scores to the receiving institution, and restrictions on the time interval permitted to receive current credit for a course taken some years previously.

(L) State Certification or Statutory Requirements. In the process of earning a degree, students must complete requirements for that degree and sometimes, as in the case of teacher education programs, must also meet state certification requirements. If certification or statutory requirements change and additional requirements become effective during the time a student is enrolled in a program, the new requirements take precedence over previously existing degree or certification standards.

[(5) Committee on Transfer/Articulation.

(A) The Coordinating Board for Higher Education hereby establishes a committee on transfer/articulation, consisting of seven (7) members, with responsibility to oversee the implementation of the guidelines as set forth in this rule.

(B) The committee on transfer/articulation will be composed of six (6) members appointed by the commissioner and shall consist of two (2) representatives from the public two (2)-year college sector and one (1) representative from each of the following higher education sectors: independent two (2)-year college; independent four (4)-year college; public four (4)-year college; and University of Missouri. In addition, the commissioner or a designated representative will sit as an ex-officio voting member of the committee and shall serve as chairperson.

(C) The committee on transfer/articulation is encouraged to seek the counsel of faculty and other institutional representatives in the performance of its functions. Those functions shall include:

1. Conducting a continuing review of the provisions of the college transfer guidelines and recommending such revisions as are needed to promote the success and general well being of the transfer student;

2. Reviewing and making recommendations concerning transfer issues brought before it by institutions;

3. Recommending modifications of institutional policies

and procedures which, in the committee's judgment, would enhance and facilitate the transfer of students;

4. *Studying nontraditional credits and developing transfer guidelines for them;*

5. *Systematically soliciting suggestions and data from administrators, faculty and students concerning matters of transfer;*

6. *Developing a job description for the articulation officer's position. After the job description has been developed, the president of each institution will appoint an articulation officer and inform the commissioner of higher education;*

7. *Developing a statement of student transfer rights and responsibilities;*

8. *Monitoring both the sending and receiving institutions to determine whether they are informing transfer students of their rights and responsibilities;*

9. *Reviewing and recommending resolution of individual cases of appeals from students who have encountered difficulties in transferring from one (1) Missouri postsecondary institution to another and who have exhausted all local remedies;*

10. *Preparing and submitting to the Coordinating Board for Higher Education, for such action and distribution as the coordinating board deems appropriate, an annual report of committee meetings, actions and recommendations, including a report of student appeal cases. The chairperson must convene the committee at least once a year; and*

11. *Establishing committee rules of procedure and meeting on call of the chairperson as is necessary to perform its functions.]*

[(6)](5) [Appeal Process] General Transfer.

(A) Each receiving institution of higher education shall have an internal process of appeal available to transfer students for purposes of challenging institutional decisions on the acceptance of the students' credits in transfer. The process shall include no more than three (3) levels of appeal. The receiving institution shall publish in its catalog or otherwise provide to each transfer student a statement of appeal rights and procedures internal to the institution. A copy of that formal statement shall be furnished to the committee on transfer/articulation. If a transfer student's appeal challenge is denied by the institution after all appeal steps internal to the institution have been exhausted, the institution shall advise the student in writing of the availability and process of appeal to the committee on transfer/articulation.

(B) Appeal to the committee on transfer/articulation shall be by the following procedures:

1. Appeal to the committee on transfer/articulation is to be initiated by the affected student only after all other remedies have been exhausted without resolution of the issue at the receiving institution. The appeal process is initiated when the student informs the committee on transfer/articulation in writing of the reason for the appeal;

2. The committee shall promptly notify the chief executive officer of the relevant institution(s) of higher education of the appeal and invite the institution(s) to submit documentation for the decision being appealed by the student. Documentation shall be submitted by the relevant institution(s) within fifteen (15) days of notification by the committee;

3. The chairperson of the committee shall convene the appeals committee within thirty (30) days, if possible, but in no event later than ninety (90) days, of the receipt of an appeal for the purpose of considering the information presented by the student and the institution(s). Both the student and the institution(s) shall be notified of the committee's meeting time and location. The student and the institution(s) will have the opportunity to make an oral presentation to the appeals committee if either desires to do so;

4. In the event an appeal is filed involving a campus represented on the committee on transfer/articulation, the commissioner shall,

for the purpose of considering the appeal, appoint an interim member of the committee from the same sector;

5. The committee's consideration of the appeal shall include, but not be limited to, the institution(s)'s compliance with the guidelines set forth in this rule, the student's compliance with the guidelines set forth in this rule and the student rights and responsibilities statement;

6. The committee chairperson shall inform the chief executive officer of the relevant institution(s) and the student of the committee's determination and recommend that the institution(s)'s chief executive officer implement the committee's recommendation;

7. The institution(s)'s chief executive officer shall inform the chairperson of the appeals committee within thirty (30) days of the action taken in regard to the committee's recommendation; and

8. The committee's recommendation and the action taken by the institution(s) shall be reported to the coordinating board by the commissioner on higher education.

(C) Core Transfer Curriculum (CORE 42) and MOTR Courses.

1. Pursuant to section 178.788, RSMo, if a Missouri public institution of higher education or participating independent institution does not accept MOTR course credit earned by a student at another Missouri public or participating independent institution of higher education, that institution shall give written notice to the student and the sending institution that the transfer of the course credit is denied within ten (10) business days of the denial of credit. When sending notification of denial of credit, institutions must include standard information which is available on the Missouri Department of Higher Education's website. The standard information requires at a minimum: student identification information, course identification information, the reason why the course did not transfer, and the institutional internal appeal process.

2. Each public institution of higher education shall have an internal process of appeal available to transfer students for purposes of challenging institutional decisions on the acceptance of the students' credits in transfer. The process shall include a minimum of two (2) levels of appeal but not to exceed more than three (3) levels of appeal. The process of internal appeal shall be decided upon by the institution. The institution shall publish in its catalog and place in a student accessible area on the institution's website the statement of appeals rights and procedures internal to the institution. A copy of that formal statement shall be furnished to the committee on transfer/articulation. The institution's internal appeals policy shall include the process for transfer appeal.

3. The two (2) institutions and the student shall attempt to resolve the transfer of the course credit dispute in accordance with these rules.

A. If the transfer dispute is not resolved to the satisfaction of the student or the institution at which the credit was earned within forty-five (45) business days after the date the student received written notice of the denial, the institution that denies the transfer of the course credit shall notify the commissioner of higher education of its denial and the reasons for the denial. The student and sending institution shall also be copied on the notification sent to the commissioner of higher education.

4. Review by the commissioner of higher education or his or her designee shall be by the following procedures:

A. Review by the commissioner of higher education is initiated by the institution that denies the transfer of the course credit after all other remedies have been exhausted without resolution of the issue at the receiving institution. This must be done by the institution that denied the transfer of credit within forty-five (45) business days after the date the student received written notice of denial. The institution shall submit any documentation for the reason of the denial of course credit with the appeal;

B. The commissioner of higher education or his or her

designee shall promptly notify the chief academic officer of the relevant institution(s) of higher education of the appeal and the involved student and invite the institution(s) and student to submit documentation for the decision being appealed. Documentation shall be submitted by the relevant institution(s) and student within fifteen (15) business days of notification by the commissioner of higher education or his or her designee;

C. The commissioner of higher education or his or her designee shall make the final determination about a dispute concerning the transfer of course credit and give written notice of the determination as to the involved student and institutions within thirty (30) business days of the documentation deadline;

D. The commissioner's or his or her designee's consideration of the appeal shall include, but not be limited to, the institution(s)'s compliance with the guidelines set forth in this rule and the student rights and responsibilities statement and the receiving institution's compliance with its own transfer policies;

E. The commissioner of higher education or his or her designee shall inform the chief academic officer of the relevant institution(s) and the involved student of the commissioner's determination and recommend that the institution(s)'s chief academic officer implement the commissioner's recommendation;

F. The receiving institution(s)'s chief academic officer shall inform the commissioner within thirty (30) business days of the action taken in regard to the commissioner of higher education's recommendation;

G. The coordinating board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner of higher education or the commissioner's designee; and

H. The coordinating board for higher education, in consultation with the advisory board, shall develop criteria to evaluate the transfer practices of each public institution of higher education in this state and shall evaluate the transfer practices of each institution based on this criteria.

(6) **Data Collection.** In accordance with section 178.788.1, RSMo, the coordinating board for higher education, in consultation with Core Curriculum Advisory Committee, shall develop criteria to evaluate the transfer practices of each public institution of higher education (and participating independent institutions) and shall evaluate the transfer practices of each institution based on the established criteria.

(7) **Committees.**

(A) **Committee on Transfer and Articulation (COTA).** The Committee on Transfer and Articulation was established by the Coordinating Board for Higher Education in 1987. COTA consists of twelve (12) members, with responsibility for overseeing the implementation of the guidelines as set forth in this rule.

1. COTA is comprised of twelve (12) members appointed by the commissioner of higher education, one (1) of which shall serve as chairperson of the committee. Membership shall consist of four (4) representatives from the public two- (2-) year colleges and four (4) representatives from the public four- (4-) year colleges and universities, one (1) of which must be from the University of Missouri and one (1) of which must be from the other public four- (4-) year institutions; one (1) representative from independent two- (2-) year colleges or proprietary institutions; two (2) representatives from independent four- (4-) year colleges and universities and one (1) at-large position. In addition, the commissioner or a designated representative will sit as an ex-officio voting member of the committee.

2. COTA is encouraged to seek the counsel of faculty and other institutional representatives in the performance of its functions. Those functions shall include:

A. Conducting a continuing review of the provisions of the college transfer guidelines and recommending such revisions as

needed to promote the success and general well-being of the transfer student;

B. Reviewing and making recommendations concerning transfer issues brought before it by institutions;

C. Recommending modifications of institutional policies and procedures which, in the committee's judgment, would enhance and facilitate the transfer of students;

D. Studying nontraditional credits and developing transfer guidelines for them;

E. Systematically solicit suggestions and data from administrators, faculty, and students concerning matters of transfer;

F. Maintaining a job description for the articulation officer's position. The chief academic officer of each institution will appoint an articulation officer and inform the commissioner of higher education or his or her designee;

G. Developing a statement of student transfer rights and responsibilities;

H. Monitoring both the sending and receiving institutions to determine whether they are informing transfer students of their rights and responsibilities;

I. Preparing and submitting to the Coordinating Board for Higher Education, for such action and distribution as the coordinating board deems appropriate, an annual report of committee meetings, actions, and recommendations. The chairperson must convene the committee at least once a month; and

J. Maintaining committee rules of procedure and meeting on call of the chairperson as is necessary to perform its functions.

(B) **Core Curriculum Advisory Committee (CCAC).** The Core Curriculum Advisory Committee was established in 2016 in accordance with section 178.786, RSMo, with responsibility for overseeing the implementation of the guidelines as set forth in this rule.

1. In accordance with section 178.786, RSMo, the CCAC is to be composed of representatives from each Missouri public two- (2-) year and four- (4-) year institution of higher education. Membership also includes one representative from each Missouri independent institution participating in the CORE 42 and one (1) two- (2-) year representative and one (1) four- (4-) year representative from the Missouri Association of Collegiate Registrars and Admissions Officers.

2. A majority of the membership of the CCAC shall be faculty members from Missouri public institutions of higher education, and participating independent institutions.

3. Committee responsibilities include:

A. Developing a recommended lower division core curriculum of at least forty-two (42) semester credit hours, including a statement of the content, component areas, and objectives of the core curriculum (CORE 42);

B. Developing a common course numbering equivalency matrix for the forty-two (42) semester credit hours (Missouri Transfer Number or "MOTR") at all institutions of higher education in the state to facilitate the transfer of those courses among institutions of higher education by promoting consistency in course designation and course identification;

C. Serve as the steering committee for oversight of the framework and review of courses;

D. Develop MOTR courses and consider issues involved in the interpretation of the core curriculum framework;

E. Develop processes and procedures for the establishment of MOTR courses, identification of additional MOTR courses, the submission of new institutional courses for review, MOTR course updates, and establishing MOTR course competencies;

F. CCAC faculty members will serve as the chair of their respective faculty discipline group and the CCAC will provide general oversight over all faculty discipline groups; and

G. May assist in resolving equivalency issues and provide assistance to COTA and the MDHE as necessary to resolve transfer appeals.

AUTHORITY: sections 178.785-178.789, RSMo 2016, and section 173.005.2(6), RSMo [1986] Supp. 2018. Original rule filed July 15, 1987, effective Oct. 12, 1987. Amended: Filed July 19, 2019.

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 submit a statement in support of or in opposition to this proposed amendment to the attention of Academic Affairs, Missouri Department of Higher Education, PO Box 1469, Jefferson City, MO 65102. 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 10—DEPARTMENT OF NATURAL RESOURCES
Division 20—Clean Water Commission
Chapter 6—Permits**

PROPOSED AMENDMENT

10 CSR 20-6.020 Public Participation, Hearings, and Notice to Governmental Agencies. The department is amending this rule by deleting section (6)(C).

PURPOSE: This amendment deletes language related to time limits for appeals of conditions in issued permits. The current rule language is not consistent with sections 640.250.2 and 644.051.6 RSMo.

(6) Time Limits for Appeals of Conditions in Issued Permits.

[(C) Three (3) days shall be added to the prescribed thirty (30)-day period for appeals of conditions in issued permits when the service of notice is accomplished by mail.]

[(D)](C) The appeals referenced previously in subsection (6)(A) of this rule may be made by the applicant, permittee, or any other person with an interest which is or may be adversely affected. The appeal shall be filed with the Administrative Hearing Commission, 131 W. High St., PO Box 1557, Jefferson City, MO 65101 and shall be received by the Administrative Hearing Commission prior to expiration of the thirty- (30-)[-] day appeal period as computed in subsection (5)(A). The appeal shall be a contested case and shall be conducted under section 644.066, RSMo.

AUTHORITY: section 644.026, RSMo 2016. Original rule filed June 19, 1974, effective June 29, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed July 30, 2019.

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 Department of Natural

Resources, Division of Environmental Quality, Water Protection Program, Attn: Michael Abbott, PO Box 176, Jefferson City, MO 65102. Comments may also be sent with name and address through e-mail to michael.abbott@dnr.mo.gov or online https://dnr.mo.gov/proposed-rules/welcome.action#OPEN. To be considered, comments must be received no later than November 12, 2019. The public hearing is scheduled at a meeting of the Clean Water Commission, to be held at 10 a.m. on October 9, 2019, at the Lewis and Clark State Office Building, LaCharrette/Nightingale Conference Rooms, 1101 Riverside Drive, Jefferson City, MO 65101.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 10—Division of Finance and Administrative
Services
Chapter 4—Abortions**

PROPOSED AMENDMENT

13 CSR 10-4.010 Prohibition Against Expenditure of Appropriated Funds for Abortion Facilities. The department is amending subsection (1)(B).

PURPOSE: This amendment supplements the requirements of HB 11, passed by the 100th General Assembly, effective for State Fiscal Year 2020 concerning funding or appropriated funds from the General Assembly.

(1) Definitions.

(B) "Abortion facility" [shall be defined pursuant to section 188.015(2), RSMo] means any clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital, or any affiliate or associate of any such clinic, physician's office, or place or facility in which abortions are performed or induced other than a hospital.

AUTHORITY: section[s 11.715 and 11.800, HB 2011, First Regular Session, Ninety-ninth General Assembly, 2018] 11.930, HB 11, First Regular Session, One hundredth General Assembly, 2019, and sections 208.153, 208.201, and 660.017, RSMo 2016. Emergency rule filed July 5, 2018, effective July 15, 2018, expired Feb. 28, 2019. Original rule filed July 5, 2018, effective Feb. 28, 2019. Emergency amendment filed June 20, 2019, effective July 1, 2019, expires Dec. 26, 2019. Amended: Filed July 26, 2019.

PUBLIC COST: The 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 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 1—Organization**

PROPOSED AMENDMENT

15 CSR 30-1.010 General Organization. The secretary is amending

section (1) and deleting subsections (D) and (H) and replacing them with a new subsections (D) and (H).

PURPOSE: This amendment updates the functions of the office and updates outdated emails, telephone numbers, and websites.

(1) The Office of Secretary of State has many diverse responsibilities, *[all linked by the common theme of information]*. The office collects, compiles, stores, and publishes a variety of state documents. The *[Missouri]* secretary of state is the chief elections official. The secretary of state oversees several areas relating to state commerce, such as administration of the Uniform Commercial Code and registration of corporations and securities. In addition, the secretary of state is the keeper of the Great Seal of the State of Missouri and authenticates official acts of the governor. Except where otherwise noted, the general mailing address is: 600 West Main Street, PO Box 1767, Jefferson City, MO 65102. Functions of the office are divided into seven (7) divisions: Elections, Securities, Business Services, Library Services, Records Services, Administrative Rules, and Administrative Services. The executive deputy secretary of state is second-in-command and is charged by law with implementing the policies and procedures of the secretary of state and supervising the day-to-day operations of certain phases of the office. The executive deputy secretary of state shall possess all the powers and perform any of the duties prescribed by law to be performed by the secretary of state when and for such period of time as the secretary of state may designate. The divisions of the office are as follows:

(A) State Library. The State Library is composed of the state librarian and three (3) sections: Library Development, Reference Services, and Wolfner Library for the Blind and Physically Handicapped. The State Library promotes and encourages library services, continuing education, resource sharing, technology, program planning, needs assessment, and evaluation; provides counsel, advice, and continuing education to library boards; and ensures library and information services to diverse populations through libraries. It also receives federal grants including Library Services and Technology Act (LSTA) program, prepares reports, keeps records, and directs information about federal programs to libraries in the state. Information may be obtained from the state librarian in person on the second floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, *[through the Internet]* by email at *[SOSMain@sos.mo.gov]* **mostlib@sos.mo.gov**, by fax at (573) 751-3612, or by telephone at (573) *[751-3615]* **522-4036** or (800) 325-0131.

1. The State Library Development section produces *[regular and]* informative publications, brochures, newsletters, and other publications for the Missouri library community, coordinates all activities of the Missouri Center for the Book, works with statewide and local literacy organizations, and consults with libraries on the development of literacy programs. It administers federal and state grants and the privately funded grants or projects. Other programs include library automation and technology; library administration and management; state and community partnerships; youth and senior services; and the State Census Data Center. Information may be obtained from this section in person on the second floor of the James C. Kirkpatrick State Information Center, by written request, *[through the Internet]* to **PO Box 387, Jefferson City, MO 65102**, by email at *[SOSMain@sos.mo.gov]* **mostlib@sos.mo.gov**, by fax at (573) 751-3612 or by telephone at (573) *[751-3615]* **522-4036** or (800) 325-0131.

2. The State Library Reference Services section provides library and information services, reference services, and research to government officials, agencies, and employees. It also administers the federal and state documents programs. Information may be obtained from this section in person on the second floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, *[through the Internet]* by email

at *libref@sos.mo.gov*, by fax at (573) *[526-1142]* **751-3612** or by telephone at (573) 751-3615.

3. Wolfner Library for the Blind and Physically Handicapped provides public library services and administers library materials, equipment, and information services to *[those]* persons unable to use standard print. Information may be obtained from this section in person on the *[first]* **second** floor of the James C. Kirkpatrick State Information Center, by written request to PO Box 387, Jefferson City, MO 65102, *[through the Internet]* by email at *[W]wolfner@sos.mo.gov*, by fax at (573) *[526-2985]* **751-3612** or, by telephone at (573) 751-8720; or instate toll free: (800) 392-2614 *[or TTY or TTD at (800) 347-1379.];*

(B) Records Services. The Records Services Division fulfills the constitutional duty of the secretary of state for the management and safekeeping of state records. Under the state and local records law, the secretary of state administers the section providing for the efficient and economical application of management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records.

1. The State Archives is the officially designated repository for all state records of permanent value. Its mission is to identify, collect, preserve, and make available to elected officials, state government, historians, students, genealogists, and the general public, the permanent and historically valuable records of Missouri's state and local governments. The Missouri Historical Records Advisory Board (MHRAB) is the central advisory body for historical records planning and for projects relating to historic records, developed and carried out within the state. The MHRAB provides state-level appraisal of grant proposals submitted to the National Historical Publications and Records Commission by Missouri repositories and serves as the review and award panel for grant applications submitted to the Missouri Historical Records Grant Program and the Local Records Preservation Program. Information about these services may be obtained from the State Archives in person in Room 119, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 6510*[1-1747]***2**, by telephone at (573) 751-3280, by fax at (573) 526-*[7333]***5327**, or *[through the Internet]* by email at *archref@sos.mo.gov*.

2. *[The Missouri State Archives]* Local Records *[Preservation Program,]* provides assistance to units of local government by advising and educating the local records custodians in the use of sound records management and archival practices. The program's conservation laboratory provides treatment and advisory services on all aspects of records care, preservation, and disaster recovery. The Local Records Grant Program offers local governments, or political subdivisions with taxing authority, grant funding for approved records management or preservation projects. *[Grants may be funded up to seventy percent (70%) of the total project cost.]* Information on these services may be obtained from the Local Records *[Program]* in person in Room 112, James C. Kirkpatrick State Information Center, by written request to PO Box 1747, Jefferson City, MO 6510*[1-1747]***2**, by telephone at (573) 751-9047, by fax at (573) 526-*[3867]***5327**, or *[through the Internet]* by email at *[lorecl]local.records@sos.mo.gov*.

3. *[The]* Records Management *[Program]* assists state agencies in the development of their records management programs. Such programs include a planned and coordinated set of policies, procedures, and activities needed to ensure the efficient and effective management of an agency's records regardless of the media on which the information is recorded (i.e., electronic, paper, microfilm, etc.). The State Records Commission determines the retention and disposition of state agency records based on administrative, legal, fiscal, or historical values. Records Management provides a host of services to agencies, including consultation and technical advice, microfilm processing, duplicating and quality control, and off-site storage of documents. Information on *[the Records Management Program]* **these services** may be obtained in person in Rooms *[153]***103, 192, 278**, James C. Kirkpatrick State Information Center, by written

request to PO Box 1747, Jefferson City, MO 65101-1747, by telephone at (573) 751-3319, by fax at (573) 526-5327, or *[through the Internet]* by email at recman@sos.mo.gov;

(C) Securities. The Securities Division administers the Missouri Uniform Securities Act through an appointed commissioner of securities. The commissioner also oversees the enforcement and licensing responsibilities of this division *[of the Office of Secretary of State]*. Information may be obtained from this division in person in Room 229, James C. Kirkpatrick State Information Center, by written request *[through the Internet]* to PO Box 1276, Jefferson City, MO 65102, by email at SOSMain@securities@sos.mo.gov, by fax at (573) 526-3121, or by telephone at (573) 751-4136 for securities questions/.

[1. The Securities Division also administers the Missouri Uniform Securities Act through an appointed commissioner of securities. The division processes applications for registration and registers securities, broker-dealers, agents and investment advisers.

A. Information may be obtained from the division in person in Room 229, James C. Kirkpatrick State Information Center, by written request to PO Box 1276, Jefferson City, MO 65102.

B. by [T]telephone [requests may be directed to] at (573) 751-4136 for registration of securities[;] or (573) 751-2302 for registration of broker-dealers, agents, and investment advisers[;] or [and] (573) 751-4704 for enforcement, exemptions, exceptions, and exclusions, or [through the Internet] by email at: SOSMain@securities@sos.mo.gov.

[2.1. The Enforcement section of the Securities Division conducts enforcement activities, including responses to suspected violations or complaints. In the case of suspected violations, the Enforcement section may conduct investigations. The Enforcement section may seek administrative sanctions from the commissioner prohibiting or conditioning the further sale of securities; denying, suspending, or revoking the registration of broker dealers, agents, investment advisers, and investment adviser representatives; or censuring any registrant. The commissioner may seek an injunction, writ of mandamus, the appointment of a receiver or conservator, and other equitable relief in a circuit court. The commissioner may refer cases for criminal prosecution to prosecuting attorneys and the attorney general, and the commissioner or the Enforcement section may assist in those prosecutions. The Enforcement section may coordinate with the enforcement efforts of the attorney general, prosecuting attorneys, and any state or federal law enforcement agencies.

[3.2. The Registration section reviews applications for securities registrations, notice filings for state exemptions and federal covered securities, and applications for broker-dealers, agents, investment advisers, and investment adviser representatives and may recommend action on any such application to the commissioner. It also makes recommendations to the commissioner for determinations of whether a specific security or certain transactions would be exempt from registration. The Registration section may also refer matters to the Enforcement section. The Registration section, upon proper request from any person, shall propose interpretive opinions for issuance by the commissioner/.

[(D) Business Services. The Business Services Division is composed of three (3) sections. The deputy secretary for business services is responsible for overseeing the day-to-day functions of each section, and for the direct supervision of the management staff of each section. The Business Services Division also oversees branch offices for corporate filings in St. Louis, Kansas City and Springfield.

1. The Corporations section administers the laws and filings of business entities organized under the laws of Missouri and business organizations from other jurisdictions having certificates of authority to do business in the state of Missouri. Corporations are required to file articles of incorporation and amended articles, instruments affecting mergers

or consolidations and articles of dissolution and termination. Each corporation must file an annual registration report and pay annual registration fees to remain in good standing. This section processes dissolutions, terminations, and forfeitures. The section also administers all registration of fictitious names and provides certified copies of documents relating to the organization of business entities. In addition to these basic functions, this section handles daily communications from attorneys and individuals requesting information contained in the respective entity files. Another service of this section is to furnish and regulate the availability of entity names so that those names are protected and distinguishable from one another.

A. The public may obtain information from this section in person in Room 322 of the James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, Missouri, or by fax at (573) 751-5841; or Room 225, Wainwright State Office Building, St. Louis, Missouri, or by fax at (314) 340-7500; or Room 513, Kansas City State Office Building, Kansas City, Missouri, or by fax at (816) 889-2879; or the Landers State Office Building, Springfield, Missouri, or by fax at (417) 895-6537, or through the Internet at SOSMain@sos.mo.gov.

B. The public may also obtain information from this section by written request to PO Box 778, Jefferson City, MO 65102.

C. Telephone inquiries may be directed as follows: corporate and fictitious name information, (573) 751-4153; new corporation filings, (573) 751-2359 or (573) 751-4544; amendments, (573) 751-4609; mergers and rescissions, (573) 751-4178; certified copies, (573) 751-4100; dissolutions, liquidations and withdrawals, (573) 751-3230; corporate forms, (573) 751-3827; cashier, (573) 751-2793; annual registration forms, (573) 751-2300; and registration of fictitious names, name availability and name reservation, (573) 751-3317; or, through the Internet at SOSMain@sos.mo.gov, by fax at (573) 751-5841.

2. The Uniform Commercial Code (UCC) section has the duty of perfecting liens or security interests for many loans in Missouri. These loans are perfected by the filing of a financing statement which when filed shows the date, hour and file number.

A. The public may obtain information from this section in person in Room 322, James C. Kirkpatrick State Information Center, Jefferson City, Missouri.

B. The public may also obtain information from this section by written request to PO Box 1159, Jefferson City, MO 65102.

C. Telephone inquiries may be directed to (573) 751-4179, or, through the Internet at SOSMain@sos.mo.gov, or by fax at (573)522-2057.

3. The Commissions section performs the constitutional duties of the secretary of state relating to affixing the Great Seal of the State of Missouri and authenticating all official acts of the governor, except the approval of laws. The section maintains a record of the governor's proclamations, executive orders, commissions and appointments, extraditions, domestic requisitions, commutations and restorations of citizenship and also prepares certificates of appointments and commissions. Commissions staff of the secretary of state's office sign and seal requests for extradition, domestic requisitions, commutations and restoration of citizenship. Commissions also receives, reviews and maintains all notary public applications, oaths, bonds and commissions. This section processes trademark and service mark registrations, furnishes certificates of registration and maintains a register of the marks. Service of process is received, processed and forwarded from this section.

A. Information may be obtained from the section by written request to PO Box 784, Jefferson City, MO 65102, by telephone at (573) 751-2783, by fax at (573) 751-8199, or through the Internet at SOSMain@sos.mo.gov, in person in Room 367, James C. Kirkpatrick State Information Center, Jefferson City, Missouri.]

(D) **Business Services.** The Business Services Division is composed of four (4) sections; Corporations, Commissions, Uniform Commercial Code, and Safe at Home. The director for business services is responsible for overseeing the day-to-day functions of each section, and for the direct supervision of the management staff of each section. The Business Services Division also oversees branch offices in St. Louis, Kansas City, and Springfield.

1. The Corporations section administers the laws and filings of business entities organized under the laws of Missouri and business organizations from other jurisdictions having certificates of authority to do business in the state of Missouri. Corporations are required to file articles of incorporation and amended articles, instruments affecting mergers or consolidations, and articles of dissolution and termination. Each corporation must file an annual registration report and pay annual registration fees to remain in good standing. This section processes dissolutions, terminations, and forfeitures. The section administers all registration of fictitious names and provides certified copies of documents relating to the organization of business entities. In addition to these basic functions, this section handles daily communications from attorneys and individuals requesting information contained in the respective entity files. This section is to furnish and regulate the availability of entity names so that those names are protected and distinguishable from one another. This section processes trademark and service mark registrations, furnishes certificates of registration, and maintains a register of the marks. Service of process is received, processed, and forwarded from this section.

A. Information may be obtained from this section in person in Room 322 of the James C. Kirkpatrick State Information Center, by written request to PO Box 778, Jefferson City, MO 65102, by telephone at (866) 223-6535 or (573) 751-4153, by fax at (573) 751-5841, or by email at corporations@sos.mo.gov.

B. From the St. Louis office in person at 815 Old Post Office and Customs House, Olive Street, Suite 150, St. Louis, Missouri, 63101, or by telephone at (314) 340-7490, or by fax at (314) 340-7500.

C. From the Kansas City office in person at the Fletcher Daniels State Office Building, Room 513, Kansas City, Missouri, 64106, or by telephone at (816) 889-2925, or by fax at (816) 889-2879.

D. From the Springfield office in person at the Landers State Office Building, 149 Park Central Sq., Room 624, Springfield, Missouri, 65806, by telephone at (417) 895-6330, or by fax at (417) 895-6537.

2. The Commissions section performs the constitutional duties of the secretary of state relating to affixing the Great Seal of the State of Missouri and authenticating all official acts of the governor, except the approval of laws. The section maintains a record of the governor's proclamations, executive orders, commissions and appointments, extraditions, domestic requisitions, commutations, and restorations of citizenship and also prepares certificates of appointments and commissions. Commissions staff of the secretary of state's office sign and seal requests for extradition, domestic requisitions, commutations, and restoration of citizenship. This section processes certifications and authentications confirming the authority of a public official, such as a notary public, recorder of deeds, or county clerk to act in a particular capacity in connection with a document that he or she has signed. Commissions also receives, reviews, and maintains all notary public applications, oaths, bonds, and commissions.

A. Information may be obtained from this section in per-

son in Room 322 of the James C. Kirkpatrick State Information Center, by written request to PO Box 784, Jefferson City, MO 65102, by telephone at (866) 223-6535 or (573) 751-2783, by fax at (573) 751-8199, or by email at commissions@sos.mo.gov.

B. From the St. Louis office in person at 815 Old Post Office and Customs House, Olive Street, Suite 150, St. Louis, Missouri, 63101, by telephone at (314) 340-7490, or by fax at (314) 340-7500.

C. From the Kansas City office at the Fletcher Daniels State Office Building, Room 513, Kansas City, Missouri, 64106, by telephone at (816) 889-2925, or by fax at (816) 889-2879.

D. From the Springfield office at the Landers State Office Building, 149 Park Central Sq., Room 624, Springfield, Missouri, 65806, by telephone at (417) 895-6330, or by fax at (417) 895-6537.

3. The Uniform Commercial Code (UCC) section has the duty of perfecting liens or security interests for many loans in Missouri. These loans are perfected by the filing of a financing statement which when filed shows the date, hour, and file number.

A. Information may be obtained from this section in person in Room 322 of the James C. Kirkpatrick State Information Center, by written request to PO Box 1159, Jefferson City, MO 65102, by telephone at (866) 223-6535 or (573) 751-4628, by fax at (573) 751-3855, or by email at UCC@sos.mo.gov.

4. The Safe at Home program provides an address confidentiality program to those who are survivors of domestic violence, sexual assault, rape, human trafficking, stalking, or other crimes in their efforts to stay safe by providing a designated address to use when creating new public records. These services help keep survivors' confidential addresses out of the hands of their assailants. The public may obtain information from this section by written request to PO Box 1409, Jefferson City, MO 65102, by telephone at (866) 509-1409, by fax at (573) 522-1525, or by email at SafeAtHome@sos.mo.gov;

(E) **Elections.** The Elections Division administers all statewide elections for both candidates and issues. The division administers the filing of candidates for governor, lieutenant governor, secretary of state, auditor, treasurer, attorney general, United States senators and congressmen, Missouri state senators and representatives, and certain judicial candidates. The division also prepares ballots, certifies lists of candidates for primary elections to the county clerks and election boards, certifies nominees following the primary election, prepares ballots for the general election, canvasses returns, and publishes returns. Also initiative and referendum petitions and petitions to place new political parties on the ballot are filed with the secretary of state. The division and the secretary determine if the petitions have a sufficient number of qualified signatures to be placed on the ballot. Before the convening of each general assembly the division prepares a list of the duly elected members for the secretary of state to present to the speaker of the house and the secretary of the senate. The division accepts and maintains a file of annual reports from county clerks on fees and salaries of elected county officials, coordinates the implementation of the National Voter Registration Act in Missouri, and administers the centralized voter registration database. The operations of this division are supervised by two (2) co-directors, one (1) republican and one (1) democrat. Information may be obtained from this division in person in Room 337, James C. Kirkpatrick State Information Center, by written request to PO Box 1767, Jefferson City, MO 65102, [through the Internet] by email at /E/elections@sos.mo.gov, by fax at (573) 526-3242 or by telephone at (573) 751-2301./;

(F) **Administrative Services.** The Administrative Services Division is responsible for certain statutory and public service requirements of the secretary of state's office.

1. The Budget Office [section] supports the secretary of state's office in matters involving budgets and funding for expense and equipment and personal service appropriations.

2. The Fiscal Office processes payments to vendors, and administers the requirements of contracts for purchase and lease of equipment established by the office.

3. The Human Resources Office supports the following functions: staff payroll processing, employee benefits, training, performance evaluation, and personnel recruitment.

4. Information may be obtained from the division by written request to PO Box 1767, Jefferson City, MO 65102, by telephone at (573) 751-3246, [through the Internet] by email at SOSMain@sos.mo.gov, by fax at (573) 522-6289, or in person [in Room 337,] on the third floor of the James C. Kirkpatrick State Information Center[.];

(G) Administrative Rules. [The] Administrative Rules [Division] is the central filing office for the administrative rules of all state agencies. Chapter 536, RSMo, mandates [that this division of the Office of] the Secretary of State publish the *Missouri Register*, which contains the text of all new proposed rules, amendments, and rescissions. This publication is currently published twice[] a month[ly]. Once finalized and adopted, the rule becomes part of the permanent volumes of the *Code of State Regulations*, which is a compilation of the final rules [and consists of printed loose-leaf volumes containing all of the Titles and Divisions] of all state agencies. The updates to the *Code of State Regulations* are published once a month. Additionally, section 536.023, RSMo requires the Administrative Rules [Division] to set forth in writing the policies and procedures for the uniform standards for preparing and filing rules. [The] Administrative Rules [Division] publishes a guide to administrative rulemaking, commonly known as [Rulemaking 1-2-3, Missouri Style] *Missouri State Rulemaking Manual*.

1. Information may be obtained from [the division] **Administrative Rules** by written request to PO Box 1767, Jefferson City, MO 65102, or by telephone at (573) 751-4015, [through the Internet] by email at rules@sos.mo.gov, by fax at (573) 751-3032, or in person in Room [337] **168**, James C. Kirkpatrick State Information Center[, 600 West Main Street, Jefferson City, Missouri].

[2. All rules filed are open to public inspection during normal business hours. Copying service and certified copies of rules are available for a fee as set forth in the statutes.]

[3.]2. The *Code of State Regulations* and the *Missouri Register* are [also] posted [free of charge,] on the Internet at [<http://www.sos.mo.gov/moreg/moreg.asp>] <https://www.sos.mo.gov/adrules/moreg/moreg> (*Missouri Register*) or [<http://www.sos.mo.gov/csr/csr.asp>] <https://www.sos.mo.gov/adrules/csr/csr> (*Code of State Regulations*), and the uniform standards and procedures for rulemaking, [Rulemaking 1-2-3, Missouri Style] *Missouri State Rulemaking Manual* at: [<http://www.sos.mo.gov/adrules/manual/manual.asp>] <https://www.sos.mo.gov/adrules/manual/manual>];

[(H) The Publications section publishes the *Constitution of Missouri*, the *Official Manual State of Missouri* and *Missouri Election Laws*. It also publishes and distributes official returns of primary and general elections; a roster of state, district and county officers; a roster of democratic and republican party candidates and committee members; corporation laws, securities laws, Uniform Commercial Code Manual; and laws relating to notaries public and other bulletins. The section prepares materials for publication and awards printing and binding contracts on a competitive basis. All publications are available for distribution to the general public on request.

1. Requests for publications may be made by written request to Room 112, James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, MO 65101, by telephone request to Publications section at (573)751-4218, through the Internet at SOSMain@sos.mo.gov, or by fax at (573) 526-2970.

2. Publications generally are available free of charge, or in some cases, for the cost of printing and mailing.]

(H) The Publications Division is responsible for collecting, compiling, designing, and editing manuals of the *Missouri Constitution*, *General Assembly Roster*, *Missouri Roster*, and *Official State of Missouri Manual* (blue book). They also compile the manual of the *Missouri Election Laws*, *Notary Public Handbook*, and numerous other brochures, bookmarks, forms, newsletters, and notices for the office. All publications are available to the general public by mail at Publications Division, Secretary of State's Office, PO Box 1767, Jefferson City, MO 65102; by email at publications@sos.mo.gov; online at <https://www.sos.mo.gov/pubs>, or by telephone at (573) 751-4218;

(I) [The] Information Technology. The Information and Technology section provides computer hardware, software, and network support, new system development, web development, and technology planning, implementation, support, and maintenance for computer and information systems throughout the Office of Secretary of State. Information may be obtained from this section in person in Room [262] **367**, James C. Kirkpatrick State Information Center, by written request [or through the Internet] by email at [SOSMain/itcs@sos.mo.gov,]by fax at (573) 751-3612] or by telephone at (573) 751-[3005.]**4000**; and

(J) **Mailroom and Office Support**. The Mailroom and Office Support section[. This unit] is responsible for opening and distributing mail, shipping and receiving for the entire office, messenger service, keeping office supplies, and vehicle maintenance and reservations. Information may be obtained from this [unit] section in person in Room 281, James C. Kirkpatrick State Information Center, by written request to PO Box 778, Jefferson City, MO 65102 [or through the Internet], by email at [SOSMain/CentralServices@sos.mo.gov, by fax at (573) 522-1945, or by telephone at (573) 751-3296.

[(2) All divisions and sections of the Office of the Secretary of State make every effort to insure program accessibility to those with disabilities. The secretary of state's Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan is available for inspection in the Administrative Services Division. All divisions and sections are accessible by telephone to those with speech or hearing impairments by contacting Missouri Relay at (800) 735-2466 and using the telephone numbers listed above. In addition, the Wolfner Library for the Blind and Physically Handicapped is equipped with either TTD or TTY equipment and may be contacted at (800) 347-1379.]

AUTHORITY: section 536.023.3, RSMo [2000] 2016. Original rule filed Dec. 5, 1975, effective Dec. 31, 1975. Amended: Filed July 15, 1985, effective Dec. 26, 1985. Amended: Filed Nov. 15, 1989, effective March 11, 1990. Amended: Filed Feb. 16, 1995, effective Sept. 30, 1995. Rescinded and readopted: Filed Oct. 28, 2003, effective May 30, 2004. Amended: Filed July 16, 2019.

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 the Office of Secretary of State, PO Box 1767, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 50—General**

PROPOSED AMENDMENT

15 CSR 30-50.030 Fees. The secretary is amending current subsections (3)(B), (3)(C), and (3)(D) and adding a new subsection (3)(C).

PURPOSE: This amendment clarifies the fees required to register a Unit Investment Trust in Missouri.

(3) Federal Covered Securities. The filing fees for federal covered securities are as follows:

(B) Closed End Management Companies [and Unit Investment Trusts]. The fees for securities issued by these companies, as classified under the Investment Company Act of 1940 and that are offered or sold in this state, shall consist of the following:

1. Initial filing fee. The initial filing fee is one hundred dollars (\$100). The initial filing fee of one hundred dollars (\$100) includes the filing fee for the first one hundred thousand dollars (\$100,000) of securities to be sold in this state[.]; and

2. Filing fee. The filing fee for any additional amount of securities sold above the first one hundred thousand dollars (\$100,000) is one-twentieth of one percent (1/20 of 1%) of the amount of the additional securities sold in this state during the issuer's previous fiscal year and must be paid within sixty (60) days of the issuer's fiscal year end. The maximum filing fee is one thousand dollars (\$1,000) and includes the initial filing fee.

(C) Unit Investment Trusts. The fees for securities issued by these companies, as classified under the Investment Company Act of 1940 and that are offered or sold in this state, shall consist of the following:

1. Initial filing fee. The initial filing fee is one hundred dollars (\$100). The initial filing fee of one hundred dollars (\$100) includes the filing fee for the first one hundred thousand dollars (\$100,000) of securities to be sold in this state; and

2. Filing fee. The filing fee for any additional amount of securities sold above the first one hundred thousand dollars (\$100,000) is one-twentieth of one percent (1/20 of 1%) of the amount of the additional securities sold in this state after the anniversary of the effectiveness with the Securities and Exchange Commission or the anniversary of the filings' effectiveness in this state, and must be paid within sixty (60) days of that date. The maximum filing fee is one thousand dollars (\$1,000) and includes the initial filing fee.

[(C)](D) Renewal Fee for Investment Companies. The annual renewal fee for investment companies is one hundred dollars (\$100) and must be paid on or within thirty (30) days before the anniversary of the effective date or at the time of the fiscal year end.

[(D)](E) Regulation D, Rule 506. The filing fee for each offering under Regulation D, Rule 506, is one hundred dollars (\$100). There shall be a payment of fifty dollars (\$50) for any late filing.

AUTHORITY: sections 409.3-302, 409.3-305(b), 409.4-410, 409.6-605, and 409.6-606(c), RSMo [Supp. 2008] 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives**

PROPOSED AMENDMENT

15 CSR 30-51.020 Applications for Registration or Notice Filings. The secretary is amending sections (1) and (2) and paragraphs (1)(A)3., (1)(A)4., (1)(B)1., and (1)(B)2.

PURPOSE: This amendment replaces mentions of National Association of Securities Dealers (NASD) with Financial Industry Regulatory Authority (FINRA) throughout the rule.

(1) Broker-Dealer Application. The application for registration as broker-dealer shall contain the information outlined in section 409.4-406(a) of the Act and in this rule. [National Association of Securities Dealers (NASD)] **Financial Industry Regulatory Authority (FINRA)** members must file applications in accordance with the guidelines of the Central Registration Depository (CRD) System.

(A) Initial Registration. The following shall be included in an initial application for registration:

1. Form BD;
2. Form SBD-1, the Broker-Dealer Affidavit;
3. If a[n] NASD] FINRA member, the most recent audited financial statements or Form X-17A-5 FOCUS Report;
4. If not a[n] NASD] FINRA member, the most recent certified financial statements;
5. Designation of at least one (1) broker-dealer agent to be registered in Missouri; and
6. Payment of the filing fee.

(B) Renewal Registration. The following shall be submitted in a renewal application:

1. If a[n] NASD] FINRA member, broker-dealer must submit payment of the filing fee[.];
2. If not a[n] NASD] FINRA member, broker-dealer must submit[.]-
 - A. The execution page of the Form BD;
 - B. Any amendments to the Form BD not previously filed;
 - C. A balance sheet prepared within ninety (90) days of filing;
 - D. A listing of agents representing the broker-dealer; and
 - E. Payment of the filing fee.

(2) Broker-Dealer Agent and Issuer Agent Application. The application for registration as a broker-dealer agent or issuer agent shall contain the information outlined in section 409.4-406(a) of the Act and in this rule. [NASD] **FINRA** members must file applications in accordance with the guidelines of the CRD System.

(B) Renewal registration of broker-dealer agents and issuer agents. The following shall be submitted in a renewal registration:

1. Payment of the filing fee; and
2. If not an agent of a[n] NASD] FINRA member, Form SA-1, the Missouri Application for Renewal Registration as Agent.

AUTHORITY: sections 409.4-406 and 409.6-605, RSMo [Supp. 2010] 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED AMENDMENT

15 CSR 30-51.030 Examination Requirement. The secretary is amending paragraph (2)(C)1.

PURPOSE: This amendment clarifies the exam requirements for investment adviser representatives.

(2) The following examinations are required for the following applicants:

(C) Investment Adviser Representatives Application. Investment adviser representatives are required to take and pass—

1. The [*Securities Industry Essentials and the*] Series 65 examination[s]; or

2. The Securities Industry Essentials, the Series 66, and the Series 7 examinations.

AUTHORITY: sections 409.4-412(a) and 409.6-605, RSMo 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED AMENDMENT

15 CSR 30-51.070 Minimum Net Worth Requirements for Investment Advisers. The secretary is amending section (1), and adding section (2).

PURPOSE: This amendment clarifies the applicable net worth requirements for investment advisers domiciled in other states.

(1) Every investment adviser shall have and maintain net worth (assets minus liabilities), to include all cash, securities, and tangible assets of not less than five thousand dollars (\$5,000) **except as provided in section (2) of this rule.**

(2) An investment adviser domiciled in another state must only comply with the net worth requirement of its home state.

AUTHORITY: sections 409.4-411(a) and 409.6-605, RSMo [Supp. 2003] 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED AMENDMENT

15 CSR 30-51.120 Records Required of Broker-Dealers. The secretary is amending section (1).

PURPOSE: This amendment clarifies the applicable federal regulations for broker-dealer recordkeeping requirements.

(1) Every broker-dealer registered or required to be registered under the Missouri Securities Act of 2003 shall make and maintain records as required for brokers or dealers under the rules promulgated under the Securities Exchange Act of 1934, as amended (17 CFR 240.17a-3 and 17 CFR 240.17a-4).

AUTHORITY: sections 409.4-411(c) and 409.6-605, RSMo [Supp. 2003] 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED RESCISSION

15 CSR 30-51.130 Records to Be Preserved by Broker-Dealers. This rule provided the records that needed to be preserved by broker-dealers.

PURPOSE: This rule is being rescinded because it is unnecessary as the record retention obligation is being added to 15 CSR 30-51.120.

AUTHORITY: sections: 409.4-411(c) and 409.6-605, RSMo Supp. 2003. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the Code of State Regulations. Rescinded: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED AMENDMENT

15 CSR 30-51.170 Dishonest or Unethical Business Practices by Broker-Dealers and Agents. The secretary is amending subsection (1)(BB).

PURPOSE: This amendment replaces the name of a regulatory entity with its current name.

(1) Grounds for the discipline or disqualification of broker-dealers or agents shall include, in addition to other grounds specified in section 409.4-412(d) of the Missouri Securities Act of 2003 (the Act), the following “dishonest or unethical practices in the securities business”:

(BB) Failing to comply with any applicable provision of the Conduct Rules of [the National Association of Securities Dealers, or] Financial Industry Regulatory Authority (FINRA), any applicable fair practice or ethical standard promulgated by the Securities and Exchange Commission, or by a self-regulatory organization approved by the Securities and Exchange Commission;

AUTHORITY: section 409.6-605, RSMo [Supp. 2007] 2016. Original rule filed June 25, 1968, effective Aug. 1, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 51—Broker-Dealers, Agents, Investment
Advisers, and Investment Adviser Representatives

PROPOSED AMENDMENT

15 CSR 30-51.172 Dishonest or Unethical Business Practices by Investment Advisers and Investment Adviser Representatives. The secretary is amending subsection (1)(O) and paragraph (1)(R)6.

PURPOSE: This amendment expands the definition of custody and clarifies one (1) specific instance by which custody may be established. It also adds the requirement that assignment of investment advisory contracts be consented to by a client in writing.

(1) Grounds for the discipline or disqualification of investment advisers or investment adviser representatives (adviser) shall include, in addition to other grounds specified in section 409.4-412(d) of the Missouri Securities Act of 2003 (the Act), the following “dishonest or unethical practices in the securities business/”:

(O) Paying solicitor fees if such fees are not paid in accordance with 15 CSR 30-51.145(1), charging performance based fees that are not in accordance with 15 CSR 30-51.145(2), or having custody or possession of a client’s funds and/or securities if such custody or possession is not maintained in accordance with 15 CSR 30-51.100. **Custody shall include holding checks drawn by the client and made out to a third party for more than one (1) business day;**

(R) Entering into, extending, or renewing any investment advisory contract, other than a contract for impersonal advisory services, unless such contract is in writing and discloses, in substance:

1. The services to be provided;
2. The term of the contract;
3. The advisory fee or the formula for computing the fee;
4. The amount or the manner of calculation of the amount of the prepaid fee to be returned in the event of contract termination or non-performance;
5. Whether the contract grants discretionary power to the adviser or its representatives; and
6. That no assignment of such contract shall be made by the adviser without the client’s **written** consent;

AUTHORITY: section 409.6-605, RSMo [Supp. 2007] 2016. Original rule filed April 8, 2004, effective Oct. 30, 2004. Amended: Filed March 31, 2008, effective Jan. 1, 2009. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO

65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 54—Exemptions and Federal Covered Securities

PROPOSED AMENDMENT

15 CSR 30-54.260 Foreign Issuer Exemption. The secretary is amending section (1) and paragraph (1)(A)4.

PURPOSE: This amendment reflects the name change of a financial services company.

(1) The commissioner, pursuant to the provisions of section 409.2-203, RSMo, of the Missouri Securities Act of 2003 (the Act), exempts the following transactions from the requirements of sections 409.3-301 and 409.5-504 of the Act:

(A) Any non-issuer transaction by a registered broker-dealer in a security traded on a foreign stock exchange, foreign automated quotation system, or an American Depository Receipt; provided—

1. The security is sold at a price reasonably related to the current market price of that security at the time of the transaction;

2. The security does not constitute the whole or part of an unsold allotment to, or subscription or participation by, the broker-dealer as an underwriter of that security; and either

3. The securities qualify for inclusion on the list of foreign margin stocks compiled by the United States Federal Reserve Board and meet the requirements of section 220.11(c)1–5 of Regulation T under the Securities Exchange Act of 1934; or

4. At the time of the transaction, *[Moody's] Merger's Investor Service, [Moody's] Merger's International Manual*, or, with respect to securities included on the OTCQX or OTCQB markets, *OTC Markets Group Inc.* contains a description of the issuer's business or operations, the names of the issuer's officers and directors or their corporate equivalents in the issuer's country of domicile, an audited balance sheet of the issuer as of a date within eighteen (18) months, and audited profit and loss statements for each of the issuer's two (2) fiscal years immediately preceding that date; or

5. The security is senior in rank to the common stock of the issuer, both as to interest or dividends and upon liquidation, and the security has been outstanding in the hands of the public for at least five (5) years and the issuer has not defaulted during the current fiscal year or within the five (5) preceding years of the payment of principal, interest, or dividend on the security;

AUTHORITY: sections 409.2-202(23), 409.2-203, and 409.6-605, RSMo 2016. Original rule filed March 27, 1989, effective June 12, 1989. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act

PROPOSED AMENDMENT

15 CSR 30-55.025 General Prehearing Procedures. The secretary is amending section (2).

PURPOSE: This amendment allows for service of documents via electronic mail with the consent of the parties.

(2) Place of Filing. If the matter is to be heard by the commissioner, all pleadings shall be filed with the commissioner. If the matter is to be heard by the Administrative Hearing Commission, all pleadings must be filed with the commission. The party filing pleadings or documents shall serve by mail or, by consent of the parties, **electronic mail**, copies of all filed pleadings or documents on all parties.

AUTHORITY: sections 409.6-605[, RSMo Supp. 2003] and 409.836, RSMo [2000] 2016. Original rule filed Nov. 1, 2001, effective May 30, 2002. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 55—Hearings Under Securities Act

PROPOSED AMENDMENT

15 CSR 30-55.100 Subpoenas. The secretary is amending subsection (1)(B).

PURPOSE: This amendment clarifies the process and what information must be submitted in order to request a Subpoena Duces Tecum from the Commissioner of Securities.

(1) The commissioner shall have the authority to issue subpoenas and subpoenas duces tecum.

(B) Subpoenas duces tecum [shall] may be issued by the commissioner when s/he determines the circumstances are proper. **Any party requesting a subpoena duces tecum must submit the information required by subsection (1)(A) and a list of documents requested for the commissioner's consideration.**

AUTHORITY: sections 409.6-602 [and], 409.6-605, [RSMo Supp. 2003] and 409.820, RSMo [2000] 2016. Original rule filed Aug. 11, 1978, effective Feb. 11, 1979. For intervening history, please consult the *Code of State Regulations*. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 59—Registration and Operations of Commodity Broker-Dealers and Sales Representatives

PROPOSED AMENDMENT

15 CSR 30-59.110 Broker-Dealer Notice of Net Capital Deficiency. The secretary is amending subsection (1)(B).

PURPOSE: This amendment removes text that allowed the Commissioner to be notified of broker-dealer net capital ratios by a now defunct means of communication.

(1) Every registered broker-dealer shall make a computation of its net capital and ratio of its aggregate indebtedness to its net capital not less than monthly and shall comply with the following requirements:

(B) Every broker-dealer to which this rule is applicable, whose net capital is less than one hundred twenty percent (120%) of the amount prescribed in 15 CSR 30-59.100 or whose aggregate indebtedness exceeds one thousand five hundred percent (1,500%) of its net capital, promptly shall notify the commissioner [by telegraph or] in writing of the deficiency and its extent; and

AUTHORITY: section 409.858, RSMo [1986] 2016. This rule was previously filed as 15 CSR 30- 60.060. Emergency rule filed Oct. 2, 1985, effective Oct. 12, 1985, expired Feb. 9, 1986. Original rule filed Aug. 22, 1986, effective Jan. 30, 1987. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 15—ELECTED OFFICIALS

Division 30—Secretary of State

Chapter 59—Registration and Operations of Commodity Broker-Dealers and Sales Representatives

PROPOSED AMENDMENT

15 CSR 30-59.170 Effectiveness and Post-Effective Requirements. The secretary is amending subsection (2)(F).

PURPOSE: This amendment replaces the name of a regulatory entity with its current one.

(2) During the pendency of any application, or effectiveness of any registration, every broker-dealer or sales representative immediately and in no event later than thirty (30) days following the specified event or occurrence, shall report to the commissioner, in writing, any material change in any information, exhibits, or schedules submitted or circumstances disclosed in its last prior application and a correcting amendment shall be filed in the division at the time of occurrence or discovery of these changes, which include, but are not limited to, the following:

(F) Entry of an order or proceeding by any court or administrative agency denying, suspending, or revoking a registration or expelling the firm or individual from membership in any stock exchange, [National Association of Securities Dealers, Inc.] the Financial Industry Regulatory Authority (FINRA), or National Futures Association or threatening to do so, or enjoining it from engaging in or continuing any conduct or practice in the securities or commodities business.

AUTHORITY: sections 409.836 and 409.850–409.856, RSMo [2000] 2016. This rule was previously filed as 15 CSR 30-60.120. Emergency rule filed Oct. 2, 1985, effective Oct. 12, 1985, expired Feb. 9, 1986. Original rule filed Aug. 22, 1986, effective Jan. 30, 1987. Amended: Filed Feb. 13, 2003, effective Aug. 30, 2003. Amended: Filed July 19, 2019.

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 via mail with the Office of Secretary of State, PO Box 1276, Jefferson City, MO 65102. 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 COMMERCE AND

INSURANCE

Division 10—General Administration

Chapter 4—Disaster Response Plan

PROPOSED RESCISSION

20 CSR 10-4.100 Disaster Planning Standing Committee. In the event of a natural or other disaster which would require an extraordinary response by the department, Missouri adopted this plan in advance to respond quickly and effectively to meet the needs of its insured citizens. The plan would have been implemented at the call of the director or his/her designee. This rule regulated the internal affairs of and prescribed procedures to be followed in proceedings before the department.

PURPOSE: This rule is being rescinded because it is not necessary to empower or enable the director to respond quickly and effectively in the event of a natural or other disaster.

AUTHORITY: section 374.045, RSMo 2000. Original rule filed Jan. 15, 1992, effective Sept. 6, 1992. Amended: Filed Oct. 15, 2007, effective May 30, 2008. Rescinded: Filed July 18, 2019.

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 Department of Commerce and Insurance, Attention: John Conrace, PO Box 690, Jefferson City, Missouri 65102. 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 COMMERCE AND
INSURANCE
Division 10—General Administration
Chapter 4—Disaster Response Plan**

PROPOSED RESCISSION

20 CSR 10-4.200 Command Post Task Group. In the event of a natural or other disaster which would require an extraordinary response by the department, Missouri adopted this plan in advance to respond quickly and effectively to meet the needs of its insured citizens. The plan would have been implemented at the call of the director or his/her designee. This rule regulated the internal affairs of and prescribed procedures to be followed in proceedings before the department.

PURPOSE: This rule is being rescinded because it is not necessary to empower or enable the director to respond quickly and effectively in the event of a natural or other disaster.

AUTHORITY: section 374.045, RSMo 2000. Original rule filed Jan. 15, 1992, effective Sept. 6, 1992. Amended: Filed Oct. 15, 2007, effective May 30, 2008. Rescinded: Filed July 18, 2019.

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 Department of Commerce and Insurance, Attention: John Conrace, PO Box 690, Jefferson City, Missouri 65102. 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 COMMERCE AND
INSURANCE
Division 10—General Administration
Chapter 4—Disaster Response Plan**

PROPOSED RESCISSION

20 CSR 10-4.300 Consumer Information Hotline Task Group. In the event of a natural or other disaster which would require an extraordinary response by the department, Missouri adopted this plan in advance to respond quickly and effectively to meet the needs of its insured citizens. The plan would have been implemented at the call of the director or his/her designee. This rule regulated the internal affairs of and prescribed procedures to be followed in proceedings before the department.

PURPOSE: This rule is being rescinded because it is not necessary to empower or enable the director to respond quickly and effectively in the event of a natural or other disaster.

AUTHORITY: section 374.045, RSMo 2000. Original rule filed Jan. 15, 1992, effective Sept. 6, 1992. Amended: Filed Oct. 15, 2007, effective May 30, 2008. Rescinded: Filed July 18, 2019.

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 Department of Commerce and Insurance, Attention: John Conrace, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days of publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 10—General Administration
Chapter 4—Disaster Response Plan**

PROPOSED RESCISSION

20 CSR 10-4.400 Media Relations Task Group. In the event of a natural or other disaster which would require an extraordinary response by the department, Missouri adopted this plan in advance to respond quickly and effectively to meet the needs of its insured citizens. The plan would have been implemented at the call of the director or his/her designee. This rule regulated the internal affairs of and prescribed procedures to be followed in proceedings before the department.

PURPOSE: This rule is being rescinded because it is not necessary to empower or enable the director to respond quickly and effectively in the event of a natural or other disaster.

AUTHORITY: section 374.045, RSMo 2000. Original rule filed Jan. 15, 1992, effective Sept. 6, 1992. Amended: Filed Oct. 15, 2007, effective May 30, 2008. Rescinded: Filed July 18, 2019.

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 Department of Commerce and Insurance, Attention: John Conrace, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days of publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 10—General Administration
Chapter 4—Disaster Response Plan**

PROPOSED RESCISSION

20 CSR 10-4.500 National Response Task Group. In the event of

a natural or other disaster which would require an extraordinary response by the department, Missouri adopted this plan in advance to respond quickly and effectively to meet the needs of its insured citizens. The plan would have been implemented at the call of the director or his/her designee. This rule regulated the internal affairs of and prescribed procedures to be followed in proceedings before the department.

PURPOSE: This rule is being rescinded because it is not necessary to empower or enable the director to respond quickly and effectively in the event of a natural or other disaster.

AUTHORITY: section 374.045, RSMo 2000. Original rule filed Jan. 15, 1992, effective Sept. 6, 1992. Amended: Filed Oct. 15, 2007, effective May 30, 2008. Rescinded: Filed July 18, 2019.

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 Department of Commerce and Insurance, Attention: John Conrace, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days of publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects
Chapter 5—Examinations

PROPOSED AMENDMENT

20 CSR 2030-5.080 Standards for Licensure—Professional Engineers. The board is amending sections (1), (5), and (6).

PURPOSE: This amendment will allow applicants to take the engineering examination while gaining their four (4) years of experience and to further clarify that a degree in engineering technology does not meet the educational requirements for licensure as a professional engineer.

(1) *[Before being admitted to the examination, a]An applicant for licensure as a professional engineer shall have the knowledge, skills, and experience as the board deems necessary to qualify the applicant for being placed in responsible charge of engineering work. The minimum length of experience required of the applicant, based on education, is three (3) years for any applicant holding a master's degree in engineering[; however, an applicant will not be admitted to the examination sooner than] or four (4) years after the applicant has satisfied the educational requirements of sections 327.221 and 327.241.6, RSMo[, provided, however,]. [a]Any applicant [conferred with a master's degree in engineering concurrently while acquiring three (3) years of satisfactory engineering experience, as provided in this rule,] who meets the educational requirements of sections 327.221, and 327.241.6, RSMo, qualifies for admission to the examination. The Engineers' Council for Professional Development (ECPD) has been succeeded by the Accreditation Board for Engineering and Technology, Inc. (ABET). For purposes of evaluating engineering curricula at the baccalaureate level, the programs accredited by the Engineering*

Accreditation Commission (EAC) of ABET shall be the basis used for evaluation of programs not accredited by EAC of ABET.

(5) A degree in engineering technology does not meet the educational requirements *[of section 327.221, RSMo] for licensure as a professional engineer.*

(6) Any applicant deemed by the professional engineering division under sections (3) or (4) of this rule to have completed an educational program which is equal to or exceeds those programs accredited by ECPD, ABET, or their successor organizations shall be required to have obtained the minimum engineering work experience as is required in section (1) of this rule **before applying for licensure.** In all cases, the board will consider only that experience the applicant has obtained after satisfying the educational requirements of sections 327.221 and 327.241, RSMo.

AUTHORITY: sections 327.041[, 327.221,] and 327.241, RSMo 2016, and section 327.221, RSMo Supp. 2018. This rule originally filed as 4 CSR 30-5.080. Original rule filed March 16, 1970, effective April 16, 1970. For intervening history, please consult the Code of State Regulations. Amended: Filed July 18, 2019.

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 the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapeplspla@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects
Chapter 5—Examinations

PROPOSED AMENDMENT

20 CSR 2030-5.110 Standards for Admission to Examination—Professional Land Surveyors. The board is amending sections (1) and (2).

PURPOSE: This rule is being amended to allow up to one (1) year (twelve (12) months) of experience while in the military which does not have to be completed under the immediate personal supervision of a professional land surveyor.

(1) No person shall apply for examination and licensure as a professional land surveyor in the state of Missouri unless said person is currently enrolled as a land surveyor-in-training and unless said person shall have acquired at least *[the following satisfactory professional field and office experience while enrolled as a land surveyor-in-training:]* **four (4) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a professional land surveyor upon their date of enrollment. However, applicants may accrue up to one (1) year (twelve (12) months) credit for satisfactory**

land surveying experience earned while in the military even if that experience was not completed under the immediate personal supervision of a licensed professional land surveyor.

[(A) If enrolled as a land surveyor-in-training prior to January 1, 2006 pursuant to the provisions of subsection (1) or (2) of section 327.312, RSMo, said person shall have acquired at least two (2) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a licensed professional land surveyor;

(B) If enrolled as a land surveyor-in-training prior to January 1, 2006 pursuant to the provisions of subsection (3) of section 327.312, RSMo, said person shall have acquired at least one (1) year of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a licensed professional land surveyor; and

(C) If enrolled as a land surveyor-in-training on or after January 1, 2006 pursuant to the provisions of subsection (1), (2), or (3) of section 327.312, RSMo, said person shall have acquired at least four (4) years of satisfactory professional field and office experience in land surveying under the immediate personal supervision of a professional land surveyor.]

(2) For professional field and office experience in land surveying to be deemed satisfactory, the applicant shall have obtained at least twenty-four (24) months of the required experience as field experience and at least sixteen (16) months of the required experience as office experience. *[Furthermore, all professional field and office experience in land surveying shall be completed under the immediate personal supervision of a licensed professional land surveyor as defined in 20 CSR 2030-13.020.]* In evaluating satisfactory professional field and office experience in land surveying, credit shall be given as follows:

AUTHORITY: sections 327.041[, 327.312,] and 327.314, RSMo [Supp. 2014] 2016, and section 327.312, RSMo Supp. 2018. This rule originally filed as 4 CSR 30-5.110. Original rule filed March 16, 1970, effective April 16, 1970. For intervening history, please consult the Code of State Regulations. Amended: Filed July 18, 2019.

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 the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapeplspla@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2145—Missouri Board of Geologist Registration Chapter 2—Licensure Requirements

PROPOSED AMENDMENT

20 CSR 2145-2.020 Educational Requirements. The board is amending sections (4) and (6).

PURPOSE: This amendment clarifies the educational requirements.

(4) The applicant shall have completed at least thirty (30) semester hours or forty-five (45) quarter hours of credit in a course of study in geology^[. (A) A course of study in geology], wherever it may be administratively housed^[,.]. **The course of study** shall be clearly identified and designed to teach fundamentals of geology, ^[and] **including, but not limited to, the following areas of study: physical geology, earth materials, structural geology, and stratigraphy and sedimentation.** The course of study shall also be designed to teach principles and practices of geology, **including field camp or equivalent field study**, and shall be designed to train the student to engage in the practice of geology.

[(B) The thirty (30) semester hours shall include the following courses or their equivalents:

1. Physical Geology	3 semester hours
2. Earth Materials (minerals and rocks)	3 semester hours
3. Structural Geology	3 semester hours
4. Stratigraphy & Sedimentation	3 semester hours
5. Field Geology	6 semester hours]

(6) It shall be the applicant's burden to demonstrate his/her academic course work and training constituted a program of study in geology. The applicant shall request the school or university forward official transcripts and any other supporting evidence necessary to document the fact that these educational requirements have been met. A final determination of whether the program of study or course work which forms the basis of the applicant's thirty (30) semester hours or forty-five (45) quarter hours of credit in a course of study in geology is within the discretion of the board including, but not limited to, whether the courses or their equivalents stated in ^[sub]section (4)^[(B)] above are present.

AUTHORITY: sections 256.462.3[, RSMo 2000,] and [section] 256.468, RSMo Supp. [2013] 2018. This rule originally filed as 4 CSR 145-2.020. Emergency rule filed June 29, 1995, effective July 9, 1995, expired Nov. 5, 1995. Original rule filed Sept. 28, 1995, effective May 30, 1996. For intervening history, please consult the Code of State Regulations. Amended: Filed July 26, 2019.

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 the Missouri Board of Geologist Registration, PO Box 1335, Jefferson City, MO 65102-1335, by facsimile at 573-526-0661, or via email at geology@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2145—Missouri Board of Geologist Registration Chapter 2—Licensure Requirements

PROPOSED AMENDMENT

20 CSR 2145-2.040 Examination. The board is amending sections (1)-(3).

PURPOSE: This amendment clarifies the examination requirements.

(1) Every applicant for licensure by the board as a registered geologist, except those meeting the requirements for licensure by reciprocity or where test examination score has been endorsed by the board, shall take a written examination as prescribed by the board.

[(A) To be examined, a candidate must complete an application on forms supplied by the board, pay the appropriate non-refundable examination fee, submit an official transcript as described in 20 CSR 2145-2.020 Educational Requirements, and be approved by the board.]

(2) The applicant shall pass the National Geologist Examination as developed by the National Association of State Boards of Geology (ASBOGTM) or its successor which consists of two (2) sections; Fundamentals of Geology[,] and Practice of Geology.

(A) Fundamentals of Geology is designed to test the applicant's basic knowledge of geology. An applicant may take the Fundamentals of Geology Examination if the applicant—

1. Has submitted a complete application on forms supplied by the board;

2. Paid the appropriate non-refundable examination fee; and

3. Holds a degree in geology from an acceptable college or university and submit an official final transcript as described in 20 CSR 2145-2.020.

A. In lieu of paragraph (2)(A)3. of this rule, an applicant must have completed thirty (30) semester hours (or forty-five (45) quarter hours) of geology or geology-related courses acceptable to the board and is currently enrolled in an advanced geology degree program with an acceptable college or university;

(B) Fundamentals of Geology taken as an exit examination.

1. The Fundamentals of Geology is offered as an exit examination as an aid to evaluate teaching curriculum. To use the Fundamentals of Geology as an exit examination—

A. The student must be an undergraduate student;

B. The Fundamentals of Geology may be a requirement for graduation;

C. Students may complete the Fundamentals of Geology as an exit examination only once. Students wishing to take the Fundamentals of Geology additional times must do so pursuant to the requirements in subsection (2)(A) of this rule;

D. Subject to the board's review and approval, students must have—

(I) Obtained senior status at the time of the application;

(II) Been approved by the department head/chair to sit for the examination; and

(III) Met or will meet all requirements for a Geologist Registrant-In-Training (GRIT) including thirty (30) semester hours (or forty-five (45) quarter hours) in geologic course work at the time of graduation.

E. Subject to the board's review and approval, students in a graduate degree program in geology with an undergraduate degree(s) not in geology may take the Fundamentals of Geology examination as an exit examination provided that the student—

(I) Is approved by the department head/chair to sit for the examination; and

(II) Meets or will meet all requirements for a GRIT including thirty (30) semester hours (or forty-five (45) quarter hours) in geologic course work at the time of graduation; and

(C) Practice of Geology is a four (4) hour examination. The applicant can sit for the Practice of Geology examination only after the applicant passes the Fundamentals of Geology examination and enrolls for the Practice of Geology Examination.

(3) The examinations shall be given at least twice each year at times and locations determined by the board.

AUTHORITY: section 256.462.3, RSMo [2000] Supp. 2018. This rule originally filed as 4 CSR 145-2.040. Emergency rule filed June 29, 1995, effective July 9, 1995, expired Nov. 5, 1995. Original rule filed Sept. 28, 1995, effective May 30, 1996. For intervening history, please consult the Code of State Regulations. Amended: Filed July 26, 2019.

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 the Missouri Board of Geologist Registration, PO Box 1335, Jefferson City, MO 65102-1335, by facsimile at 573-526-0661, or via email at geology@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2145—Missouri Board of Geologist Registration Chapter 2—Licensure Requirements

PROPOSED AMENDMENT

20 CSR 2145-2.100 Registered Geologist's Seal. The board is amending sections (1)-(3).

PURPOSE: This amendment changes the seal requirements.

(1) Each registered geologist shall, at his/her own expense, secure a seal or rubber stamp, one and three-quarters inches (1 3/4") in diameter. The seal *[or stamp]* shall consist of concentric circles between which shall appear in capital letters "STATE OF MISSOURI" on the upper part of the seal, and "REGISTERED GEOLOGIST" on the lower part of the seal. Within the inner circle of the seal shall appear the name of the registered geologist in printed letters and his/her certificate number preceded by the capital letters "RG."

(2) *[The registered geologist shall submit an impression or stamp of the seal with an original signature superimposed over it for the board's records. If the board disapproves the registered geologist's seal, the board shall inform the registered geologist in writing and the registered geologist shall obtain another seal that meets the requirements of this rule.]* The seal may be in the form of an embossing seal, a rubber stamp, or a computer-generated image, identical in size or design and content with the provisions of section (1) of this rule.

(3) In addition to the personal seal *[or rubber stamp]*, the registered geologist shall also affix his/her signature on or through his/her seal, and place the date of the signature under the seal on each sheet in a set of plans, drawings, specifications, maps, reports, and other documents which are prepared by the registered geologist or under the registered geologist's immediate personal supervision.

AUTHORITY: section[s] 256.456, RSMo 2016, and section 256.462.3, RSMo [2000] Supp. 2018. This rule originally filed as 4 CSR 145-2.100. Emergency rule filed June 29, 1995, effective July 9, 1995, expired Nov. 5, 1995. Original rule filed Sept. 28, 1995, effective May 30, 1996. For intervening history, please consult the Code of State Regulations. Amended: Filed July 26, 2019.

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 the Missouri Board of Geologist Registration, PO Box 1335, Jefferson City, MO 65102-1335, by facsimile at 573-526-0661, or via email at geology@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RULE

20 CSR 2220-2.990 Rx Cares For Missouri Program

PURPOSE: This rule establishes the Missouri Board of Pharmacy's medication disposal program as part of the Rx Cares for Missouri Program created by section 338.710, RSMo and establishes standards/criteria for Program operation and participation.

(1) Section 338.710, RSMo, established the "Rx Cares for Missouri Program" within the Board of Pharmacy to promote medication safety and to prevent prescription drug abuse, misuse, and diversion in Missouri. As part of the Rx Cares for Missouri Program, the board is hereby establishing a medication destruction and disposal program (the "Program") for the purposes of collecting unused or unwanted medication from the public for disposal in accordance with state and federal law. Operation of the Program may be delegated to a board approved vendor or third-party.

(2) Eligible Participants. To be eligible for participation, applicants must be physically located in Missouri and currently registered to collect unwanted controlled substances with the United States Drug Enforcement Administration ("DEA") and the Missouri Bureau of Narcotics and Dangerous Drugs ("BNDD") unless exempt from registration by state or federal law. Additionally, the applicant must be—

- (A) A licensed Missouri pharmacy or drug distributor;
- (B) A licensed healthcare provider authorized to prescribe controlled substances;
- (C) A hospital, office, clinic, or other medical institution that provides health care services;
- (D) A federal, state, local, or municipal public health, law enforcement, or other governmental agency, or
- (E) A higher education institution located in Missouri that is accredited by a national or regional accrediting body recognized by the United States Secretary of Education.

(3) Participant Requirements. Approved participants must establish and operate a public medication collection program in compliance with Program requirements, including, but not limited to, all applicable board or vendor requirements for collecting, submitting, or forwarding medication for destruction and disposal. Participants must promptly enroll in the program after notification of approval is received from the board.

(A) Subject to appropriation, approved Program participants will be provided a collection receptacle and inner liners to be used for collecting medication pursuant to the Program. Participants may

alternatively use an existing collection receptacle if approved by the board or the Program vendor. Program participants are responsible for installation of the collection receptacle in accordance with vendor requirements.

(B) Collection receptacles must be physically located in the state of Missouri at an address approved by the board. A board approved sign must be located on or near the receptacle indicating that the collection program has been funded by the Missouri Board of Pharmacy as part of the Rx Cares for Missouri Program. Collection receptacles may not be used to dispose of medication from the pharmacy's inventory.

(C) Medication must be collected and handled in compliance with all state and federal controlled substance laws. Program participants may submit collected medication to the vendor or the vendor's authorized designee for disposal at no cost to the participant up to twelve (12) times per participation year. Program participants may arrange for additional medication disposal at the participant's cost.

(D) Program participants shall notify the board in writing within ten (10) days after ceasing or terminating Program participation. Unless otherwise agreed by the board for good cause, Program participants shall reimburse the board for the cost of the collection receptacle if the participant fails to actively maintain and operate a collection program during the participation year. Collection receptacle costs must be remitted to the board within sixty (60) days after notification from the board.

(4) Application Procedures. Applications to participate in the Program must be submitted to the board on a board approved form and include—

- (A) The applicant's name, address, contact telephone number, and e-mail address;
- (B) The Missouri address where the collection receptacle will be located;
- (C) A copy of the applicant's DEA and BNDD controlled substance collector registrations;
- (D) A description of how the medication collection program will be operated, including operational times and how the program will be advertised to the public;
- (E) A designation of whether the applicant will be using a board approved collection receptacle or supplying their own collection receptacle subject to vendor approval; and
- (F) A description of the need for a medication collection program in the proposed collection site area along with any supporting data or evidence.

(5) Approval Criteria. At the discretion of the board, applicants will be approved for Program participation subject to funding availability. Participation approval shall be valid for one (1) calendar year. The following criteria will be considered by the board when reviewing applications:

- (A) The need for a medication collection program in the proposed collection site area, including, but not limited to, any alternative collection programs/opportunities available;
- (B) Relevant evidence or data regarding drug use, abuse, fatalities, or trends;
- (C) The number of applications submitted or previously approved by the board for the applicant regardless of collection site;
- (D) The nature and structure of the proposed collection program, including, but not limited to, operational times and any public restrictions;
- (E) Available staff, resources, or expertise;
- (F) Any state, federal, or local disciplinary action, including any pending board complaints or investigations;
- (G) The applicant's compliance with state and federal drug and controlled substance laws;
- (H) The applicant's financial need and available resources; and
- (I) Any other factor that may be relevant to the applicant's ability to participate in or comply with the Program.

(6) Information Sharing. As a condition of participation, applicants must agree that program information collected or maintained by the vendor or the vendor's designee may be disclosed to—

(A) The board or the board's authorized designee on request; and

(B) The Missouri Governor and the Missouri General Assembly pursuant to section 338.710, RSMo.

AUTHORITY: sections 338.140 and 338.280, RSMo 2016, and sections 338.142 and 338.710, RSMo Supp. 2018. Emergency rule filed July 18, 2019, effective July 28, 2019, expires Feb. 27, 2020. Original rule filed July 18, 2019.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions up to three hundred fifty thousand dollars (\$350,000) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri 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 rule 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: General Rules**

Rule Number and Name:	20 CSR 2220-2.990- Rx Cares for Missouri Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Fiscal Impact
State Board of Pharmacy	up to \$ 350,000 annually

III. WORKSHEET

Affected Agency	Description of Costs	Calculation of Estimates	TOTAL COSTS
Board of Pharmacy	Rx Cares for Missouri Controlled Substance Collection Program Operational Costs	up to \$ 350,000 operational costs per year	\$ 350,000
			up to \$ 350,000

IV. ASSUMPTIONS

- Pursuant to the awarded contract, costs for one hundred (100) program participants with an estimated twelve (12) medication collections per year will cost the Board an estimated \$350,000 annually. Actual costs are subject to appropriation and may decrease if fewer participants are selected/approved.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**
Division 2232—Missouri State Committee of Interpreters
Chapter 3—Ethical Rules of Conduct

PROPOSED AMENDMENT

20 CSR 2232-3.030 Mentorship. The committee is amending sections (1)-(4).

PURPOSE: This amendment clarifies the mentorship program.

(1) For the purpose of this rule, a mentorship is a supervised professional experience in which a mentor interpreter provides instruction, guidance, and oversight to a mentee interpreter while engaged in a series of instructional activities designed with the purpose of attaining clearly defined, specific professional development goals.

(A) Applications for mentorship shall be submitted to the committee on forms prescribed by the committee *[and furnished to the applicant]* prior to the start of the mentorship. The application shall contain statements demonstrating the education, professional experience, and certification by either the National Registry of Interpreters for the Deaf, National Association of the Deaf, or Missouri Interpreters Certification System and such other information *[as requested by the committee [may require]]*. The application shall also contain a description of the professional development goals for the mentorship, the instructional activities that will be used to accomplish those goals, and the methods of assessment that will be used to evaluate those goals.

(B) Each application shall be accompanied by the required application fee. The application fee *[must be submitted in a manner as required by the committee and shall not be]* is non-refundable. A mentorship shall be valid for a period of time not to exceed six (6) consecutive months.

(2) A mentor interpreter shall be an interpreter who has a current license, and a current Missouri Interpreters Certification System (MICS) *[Intermediate] Basic, Advanced certification for five (5) years or [Comprehensive] Master certification for three (3) years* or a current *[National Registry of Interpreters for the Deaf (NRID) or National Association of the Deaf (NAD)] nationally recognized certification as prescribed in section 209.322, RSMo and 20 CSR 2232-2.040 for five (5) years.*

(A) The mentor shall be limited to a maximum of three (3) mentoring relationships *[during any six (6) consecutive month period] at the same time.*

(3) A mentee shall be an interpreter who has a current license, and a current Missouri Interpreters Certification System (MICS) *[Novice, Apprentice or Intermediate] Basic or Advanced certification or a current [National Association of the Deaf (NAD) level 3 certification as prescribed in section 209.322, RSMo] nationally recognized certification as prescribed in section 209.322, RSMo, and 20 CSR 2232-2.040.*

(A) The mentee *[shall be]* is limited to a maximum of three (3) mentoring relationships *[during any six (6) consecutive month period] at the same time.*

(4) While engaged in a mentorship approved by the committee and while under the direct supervision of a mentor interpreter, a mentee interpreter may interpret in an interpreting assignment that is one (1) skill level above the mentee's current certification level as prescribed in the Skill Level Standards, 5 CSR 100-200.170.

(B) A mentor shall function as a guide and provide oversight to the mentee in the interpreting assignment. *The mentor must] and have the appropriate training, skills, education, and certification for the assignment as required by the Skill Level Standards (5 CSR 100-200.170).*

[(G) The interpreting assignment shall be no more than two (2) hours in length.

[(H) Interpreting assignments utilized for mentorship will not include medical, mental health or legal assignments, which require Advanced or Comprehensive certification as prescribed by the Skill Level Standards, 5 CSR 100-200.170.]

AUTHORITY: section 209.328.1, RSMo [2000] 2016. This rule originally filed as 4 CSR 232-3.030. Original rule filed March 18, 2005, effective Sept. 30, 2005. Moved to 20 CSR 2232-3.030, effective Aug. 28, 2006. Amended: Filed Dec. 14, 2007, effective June 30, 2008. Amended: Filed July 26, 2019.

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 the Missouri State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, by fax to 573-526-0661, or via email at interpreters@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

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 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations
Commission
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Labor and Industrial Relations Commission under section 286.060, RSMo 2016, the commission amends a rule as follows:

8 CSR 20-2.010 Governing Rules is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1377). 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 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations
Commission
Chapter 3—Rules Relating to Division of Workers' Compensation**

ORDER OF RULEMAKING

By the authority vested in the Labor and Industrial Relations

Commission under section 286.060, RSMo 2016, the commission amends a rule as follows:

8 CSR 20-3.010 Jurisdiction is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1377-1380). 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 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations
Commission
Chapter 3—Rules Relating to Division of Workers' Compensation**

ORDER OF RULEMAKING

By the authority vested in the Labor and Industrial Relations Commission under section 286.060, RSMo 2016, the commission amends a rule as follows:

8 CSR 20-3.030 Review of Awards or Orders Issued by Administrative Law Judges is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1380-1381). 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 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations
Commission
Chapter 3—Rules Relating to Division of Workers' Compensation**

ORDER OF RULEMAKING

By the authority vested in the Labor and Industrial Relations Commission under section 286.060, RSMo 2016, the commission amends a rule as follows:

8 CSR 20-3.060 Policy of the Commission is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1381-1382). 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 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations Commission
Chapter 4—Rules Relating to Employment Security Appeals

ORDER OF RULEMAKING

By the authority vested in the Labor and Industrial Relations Commission under sections 286.060, 288.200, and 288.230, RSMo 2016, the commission amends a rule as follows:

8 CSR 20-4.010 Review—Applications is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1382-1383). 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 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations Commission
Chapter 8—Tort Victims Appeals

ORDER OF RULEMAKING

By the authority vested in the Labor and Industrial Relations Commission under section 286.060, RSMo 2016, the commission amends a rule as follows:

8 CSR 20-8.010 Review of Decisions Issued by the Division of Workers' Compensation in Tort Victims' Compensation Cases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1383-1384). 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 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 3—Substance Use Disorder Treatment Programs

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under sections 630.192, and 630.193 to 630.198, RSMo 2016, Department of Mental Health amends a rule as follows:

9 CSR 30-3.160—Institutional Treatment Centers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1255-1264). 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 9—DEPARTMENT OF MENTAL HEALTH
Division 30—Certification Standards
Chapter 6—Certified Community Behavioral Health Organization

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under sections 630.192, and 630.193 to 630.198, RSMo 2016, Department of Mental Health adopts a rule as follows:

9 CSR 30-6.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1264-1268). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one (1) comment on the proposed rule.

COMMENT #1: At the direction of staff from the Centers for Medicare and Medicaid Services (CMS), Dorn Schuffman, Department of Mental Health, requested that the name of the program be changed from "Certified Community Behavioral Health Clinic" to "Certified Community Behavioral Health Organization" and all acronyms be changed from "CCBHC" to "CCBHO."

RESPONSE AND EXPLANATION OF CHANGE: The staff concurs and has changed the term "clinic" to "organization" and all acronyms "CCBHC" have been changed to "CCBHO."

9 CSR 30-6.010 Certified Community Behavioral Health Organization

(1) Definitions. The following definitions apply to terms used in this rule:

(A) Certified Community Behavioral Health Organization (CCBHO)—an entity certified by the department to provide CCBHO services within their designated service area(s);

(C) Designated Collaborating Organization (DCO)—an entity that is not under the direct supervision of a Certified Community Behavioral Health Organization (CCBHO) but is engaged in a contractual arrangement with a CCBHO to provide CCBHO services under the same requirements as the CCBHO.

(2) Regulations. All CCBHOs shall comply with all regulations, requirements, and standards specified in 9 CSR 10-7 and 9 CSR 30-4.

(3) Designated Service Areas. Organizations must be certified by the department to provide CCBHO services in one (1) or more service areas as established by the department under 9 CSR 30-4.005. The required CCBHO services, as specified in this rule, must be provided in each designated service area.

(A) Each CCBHO shall develop and maintain services and supports designed to meet the needs of the populations of focus. Populations of focus shall include:

1. Adults with serious mental illness as defined in 9 CSR 30-4.005(6);

2. Children and adolescents with serious emotional disturbances as defined in 9 CSR 30-4.005(7);

3. Children, adolescents, and adults with moderate to severe

substance use disorders;

4. Children with behavioral health disorders who are in state custody; and

5. Individuals involved with law enforcement, the courts, and hospital emergency rooms who have been identified as in need of community behavioral health services.

(B) Each CCBHO shall regularly assess the unique socio-demographic factors of their service area(s) and implement strategies to improve access, quality of care, and reduce health disparities experienced by relevant cultural and linguistic minorities.

(4) Availability and Accessibility of Services. Services shall not be denied or limited based on an individual's ability to pay, place of residence, homelessness, or lack of a permanent address.

(A) CCBHOs shall provide, at a minimum, crisis response, evaluation, and stabilization, as needed, for individuals who present for services but do not reside within the CCBHO's designated service area(s). Policies and procedures shall specify the CCBHO's process for managing the ongoing treatment needs of such individuals, such as linkage to a CCBHO in the service area where the individual currently lives.

(B) CCBHOs shall provide outpatient services at times and locations that ensure accessibility and meet the needs of individuals in the service area, including some evening hours, and when appropriate and practicable, weekend hours.

(C) CCBHOs shall ensure—

1. No individual in the populations of focus is denied services including, but not limited to, crisis management because of an inability to pay for such services; and

2. Any fees or payments required by the CCBHO for such services shall be reduced as provided by the sliding fee schedule described in section (13) of this rule in order to enable the CCBHO to fulfill the assurance described in paragraph (4)(C)1. of this rule.

(D) CCBHOs shall ensure individuals determined to need specialized behavioral health services beyond the scope of its program are referred to a qualified provider(s) for necessary services.

(5) Certification and National Accreditation. CCBHOs shall maintain national accreditation and/or department certification as specified below:

(D) Accreditation from CARF for Crisis and Information Call Center for the provision of a twenty-four (24) hour crisis line for children, youth, and adults with mental health and substance use disorders. If the CCBHO contracts with a DCO to provide this service, the DCO must be accredited by CARF as specified;

(E) Accreditation from CARF for Crisis Intervention Services for the provision of a twenty-four (24) hour mobile crisis team for children, youth, and adults with mental health and substance use disorders. If the CCBHO contracts with a DCO to provide this service, the DCO must be accredited by CARF as specified.

1. The twenty-four (24) hour crisis line and twenty-four (24) hour mobile response team shall also comply with 9 CSR 30-4.195, Access Crisis Intervention (ACI) program; and

(6) Required Services. CCBHOs shall provide a comprehensive array of services to create and enhance access, stabilize people in crisis, and provide the necessary treatment for individuals with the most serious, complex mental illnesses and substance use disorders.

(A) The following core CCBHO services must be directly provided by the CCBHO in each designated service area:

1. Crisis mental health services, including a twenty-four (24) hour crisis line and twenty-four (24) hour mobile crisis response team. Crisis mental health services must be available at the CCBHO during regular business hours and be provided by a Qualified Mental Health Professional (QMHP). The crisis line and mobile crisis response team services may be directly provided by the CCBHO or by contract with a department-approved DCO;

2. Screening, assessment, and diagnosis, including risk assess-

ment;

3. Patient-centered treatment, including risk assessment and crisis prevention planning;

4. Outpatient mental health and substance use disorder treatment services, including medication services for the treatment of addictions;

5. Outpatient clinic primary care screening and monitoring of key health indicators and health risks;

6. Targeted case management;

7. Psychiatric rehabilitation services;

8. Peer support, counseling, and family support services, including peer and family support services for individuals receiving CPR and/or Comprehensive Substance Treatment and Rehabilitation (CSTAR) services, consistent with the array of services and supports specified in the job descriptions of Family Support Providers and Certified Peer Specialists; and

9. Intensive, community-based mental health services for active members of the U.S. Armed Forces and veterans.

(B) In addition to the core services, CCBHOs shall directly provide, contract with a DCO, or have a referral agreement with an organization that is certified/deemed certified by the department to provide the following services:

1. General adult, adolescent, and women and children's CSTAR services;

2. Recovery support services, if services are available in the CCBHO's designated service area(s);

3. Outreach services to reduce unnecessary utilization of emergency rooms by the populations of focus, including case managers to respond to and engage individuals who present at collaborating emergency rooms, access necessary resources to meet the individual's basic needs on an emergency basis, and assist individuals in accessing CCBHO services on an emergency, urgent, and/or routine basis, as needed.

(7) Required Staff. CCBHOs must maintain adequate staffing to meet the needs of the populations of focus. Staff may be full- or part-time employees of the CCBHO or contracted by the CCBHO to provide services.

(A) Required staff shall include:

1. Medical Director who is a licensed psychiatrist;

2. Licensed mental health professionals with expertise and specialized training in the treatment of trauma-related disorders;

3. Community Mental Health Liaison (a cooperative agreement with a CCBHO that employs a Community Mental Health Liaison is acceptable);

4. Clinical staff to complete comprehensive behavioral health assessments, annual assessments, and treatment plans;

5. Licensed mental health professionals who have completed training on evidence-based, best, and promising practices as required by the department;

6. Physician(s) with a waiver in accordance with the Drug Addiction Treatment Act of 2000 (DATA 2000) to treat opioid use disorders with narcotic medications approved by the Food and Drug Administration (FDA), including buprenorphine;

7. Community Support Specialists who have completed department-approved wellness training;

8. Individuals who have completed department-approved smoking cessation training;

9. Family Support Providers who have completed department-approved training; and

10. Certified Peer Specialists who have completed department-approved training.

(8) Screening, Assessment, and Treatment Planning. Unless a specific tool is required by the department, CCBHO staff shall use standardized and validated screening and assessment tools, including age-appropriate functional assessments and screening tools, and when appropriate, brief motivational interviewing techniques.

(A) At first contact, individuals seeking CCBHO services shall receive a preliminary screening and risk assessment to determine acuity of need. Emergency, urgent, or routine service needs shall be identified and addressed as follows:

1. Individuals who present in crisis shall receive services immediately, including arrangements for any necessary outpatient follow-up services;

2. Individuals who present with an urgent need shall receive clinical services and an eligibility determination within one (1) business day of the time the request was made; and

3. Individuals who present with routine needs shall receive clinical services and an eligibility determination within ten (10) days of first contact.

(B) Following the preliminary screening, qualified staff shall conduct an initial evaluation and further screening, and provide needed services as indicated by the initial evaluation. Additional screening shall include, but is not limited to:

1. Depression screening for all adolescents age thirteen (13) to eighteen (18) years of age;

2. Depression screening for all adults age nineteen (19) and older;

3. Suicide risk assessment for all adolescents and adults diagnosed with major depression;

4. Brief health screen, as specified by the department;

5. Alcohol use disorder screening; and

6. Substance use disorder screening.

(D) Results of the comprehensive assessment shall be utilized to develop an initial treatment plan within sixty (60) days of the individual's first contact with the CCBHO, unless a shorter timeframe is required by a specific treatment program. The treatment plan shall be developed collaboratively with the individual served and/or parents/guardian, family members, and other natural supports, as appropriate.

1. CCBHOs shall promote collaborative treatment planning by providing the individual's Primary Care Provider (PCP) with relevant assessment, evaluation, and treatment plan information, seeking all relevant treatment and test results from the PCP, and inviting the PCP to participate in treatment planning.

(9) Services for Active Duty Members of the U.S. Armed Forces and Veterans. CCBHOs must determine whether all individuals seeking service are current or former members of the U.S. Armed Forces.

(A) CCBHOs shall refer Active Duty Members or activated Reserve Component Members to their Military Treatment Facility or TRICARE PRIME Remote Primary Care Manager for referral to services.

(C) If an individual is a veteran not currently enrolled in the Veterans Health Administration (VHA), CCBHO staff must offer to assist him/her in enrolling in the VHA.

(10) Crisis Response. CCBHOs must ensure individuals have access to crisis response services twenty-four (24) hours per day, seven (7) days per week as follows:

(A) Each CCBHO shall directly provide American Society of Addiction Medicine (ASAM) Level 1-Withdrawal Management (WM) services;

(B) Each CCBHO shall directly provide or contract with a DCO to provide:

1. ASAM Level 2-WM services;

2. ASAM Level-3.2 Clinically Managed Residential Withdrawal Management, commonly referred to as social setting detoxification services; and

3. ASAM Level 3.7-Medically Monitored Inpatient Withdrawal Management, commonly referred to as modified medical detoxification services;

(C) If CCBHO staff determine that a face-to-face intervention is required based on the presentation of an individual, then that face-to-face intervention must occur within three (3) hours; and

(D) CCBHO staff shall monitor and have the capacity to report the length of time from each individual's initial crisis contact to the face-to-face intervention and take steps to improve performance, as necessary.

(11) Care Coordination. CCBHOs shall actively pursue and promote collaborative working relationships with the broad array of community organizations and practitioners that provide services and supports for individuals receiving services from the CCBHO.

(A) Consistent with requirements of privacy, confidentiality, and individual preference and need, CCBHO staff shall assist individuals and families of children and youth who are referred to external providers or resources in obtaining an appointment and confirming the appointment was kept.

(B) Nothing about a CCBHO's agreements for care coordination shall limit an individual's freedom of choice of provider(s) with the CCBHO or its DCOs.

(C) CCBHO policies and procedures shall promote and describe its care coordination roles and responsibilities, and whenever possible, the development of formal agreements with community organizations and practitioners that document mutual care coordination roles and responsibilities, with particular attention to emergency room, hospital, and residential treatment admissions and discharges. CCBHO policies and procedures shall ensure reasonable attempts are made and documented to—

1. Track admissions and discharges of non-Medicaid eligible individuals to and from a variety of settings, and to provide transitions to safe community settings; and

2. Follow up with individuals served within twenty-four (24) hours following hospital discharge.

(D) For all individuals in the populations of focus, CCBHO staff shall inquire whether they have a PCP, assist individuals who do not have a PCP to acquire one, and establish policies and procedures that promote and describe the coordination of care with each individual's PCP.

(E) For all individuals in the populations of focus, CCBHO staff shall document in the individual record the name of each individual's PCP, indicate they are assisting him or her in acquiring a PCP, or the individual refuses to provide the name of their PCP or accept assistance in acquiring a PCP.

(12) Evidence-Based Practices. CCBHOs shall incorporate evidence-based, best, and promising practices into its service array.

(A) CCBHOs shall have adopted, or be participating in a department-approved initiative, to promote trauma-informed care and suicide prevention.

(B) CCBHOs shall have adopted with fidelity, a model for providing integrated treatment for co-occurring disorders approved by the department.

(C) CCBHOs shall demonstrate a continued commitment to adopting new evidence-based, best, and promising practices, such as—

1. Assertive Community Treatment (ACT);

2. Supported employment;

3. Supported housing;

4. Parent-Child Interaction Therapy;

5. Dialectical Behavior Therapy;

6. Multi-systemic Therapy; and

7. First Episode Psychosis.

(13) Fee Schedule. CCBHOs shall publish a sliding fee discount schedule(s) that includes all available services. The fee schedule shall be included on the CCBHO website, posted in the waiting/reception area, and be readily accessible to individuals seeking services and their family members and other natural supports.

(C) CCBHOs shall have written policies and procedures describing eligibility for services in accordance with the sliding fee discount schedule. These policies and procedures shall be applied equally to all individuals seeking services from the CCBHO.

(15) DCO Contracts. If the CCBHO enters into a contractual agreement(s) with a DCO, the contract shall include the following provisions:

(A) DCO staff having contact with individuals served, and/or their families, are subject to the same training requirements as staff of the CCBHO;

(B) The CCBHO coordinates care and services provided by the DCO in accordance with the individual's current treatment plan;

(C) The CCBHO is ultimately clinically responsible for all care provided;

(E) All individuals have access to the CCBHO's grievance procedures; and

(F) Services provided by the DCO shall meet the same quality standards as those provided by the CCBHO.

(16) Governing Body Representation. CCBHOs shall ensure individuals served and their parents/guardians, family members, and other natural supports have meaningful participation in the development and ongoing review of the organization's policies and procedures, service delivery practices, and service array.

(A) Meaningful participation shall be demonstrated by one (1) of the following:

1. At least fifty-one percent (51%) of the governing body consists of individuals who are receiving or have received services for a serious mental illness, serious emotional disturbance, or substance use disorder, or the parents/guardian, family members/natural supports of individuals served;

2. A substantial portion of the governing body consists of individuals who are receiving services or have received services for a serious mental illness, serious emotional disturbance, or substance use disorder, or the parents/guardian, family members/natural supports of individuals served; or

3. A transition plan is developed, with timelines appropriate to the size of the governing body and target population, to establish a governing body with at least fifty-one percent (51%) or a substantial portion of the governing body consisting of individuals who are receiving services or have received services for a serious mental illness, serious emotional disturbance, or substance use disorder, or the parents/guardian, family members and other natural supports of individuals served.

(B) If the CCBHO is a subsidiary or part of a larger corporate organization and cannot meet the requirements identified in paragraphs (16)(A)1.-3. of this rule, the CCBHO shall have or develop an advisory structure or other specifically described process to ensure individuals who are receiving services or have received services for a serious mental illness, serious emotional disturbance, or substance use disorder, or the parents/guardian, family members and other natural supports of individuals served, have meaningful input to the governing body related to its policies and procedures, service delivery practices, and service array.

(C) CCBHOs may develop and implement an alternative process, which must be approved by the department, to ensure the governing body is responsive to the needs of individuals served and their parents/guardians, family members, natural supports, and the communities it serves.

(D) CCBHOs must be able to document input from individuals served and their parents/guardian, family members, natural supports, and communities served, including the impact on its policies, processes, and services.

(E) To the extent practicable, each CCBHO's governing body and/or advisory board shall be representative of the populations served in terms of demographic factors such as, geographic area, race, ethnicity, sex, gender identity, disability, age, and sexual orientation.

(F) Each CCBHO's governing body members or advisory board members shall be selected for their expertise in health services, community affairs, local government, finance and banking, legal affairs,

trade unions, faith communities, commercial and industrial concerns, and social services within the communities served.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under sections 44.010 to 44.130, RSMo 2016, the director rescinds a rule as follows:

11 CSR 10-11.010 Emergency Operations Plan (State)
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1025). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under sections 44.010 to 44.130, RSMo 2016, the director rescinds a rule as follows:

11 CSR 10-11.020 Emergency Operations Plan (State)
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1025-1026). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.032, RSMo 2016, the director rescinds a rule as follows:

11 CSR 10-11.040 Missouri Disaster Fund **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1026). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.032, RSMo 2016, the director rescinds a rule as follows:

11 CSR 10-11.050 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1026). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.032, RSMo 2016, the director rescinds a rule as follows:

11 CSR 10-11.070 Political Subdivision Assistance is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1026). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.032, RSMo 2016, the director rescinds a rule as follows:

**11 CSR 10-11.090 Procedures for Submitting Requests
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1026-1027). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.032, RSMo 2016, the director rescinds a rule as follows:

**11 CSR 10-11.100 Major Disasters, Presidentially Declared
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1027). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10 Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.032, RSMo 2016, the director rescinds a rule as follows:

11 CSR 10-11.110 Limitations is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1027). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 11—State Emergency Management Agency**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 44.023, RSMo 2016, the director rescinds a rule as follows:

**11 CSR 10-11.120 Volunteer Inspectors Administrative Plan (State)
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1027). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 1—General Organization**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 536.023, RSMo 2016, the director amends a rule as follows:

11 CSR 30-1.010 Organization and Operations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1027-1029). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 1—General Organization**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 536.014, RSMo 2016, the director rescinds a rule as follows:

11 CSR 30-1.050 Approval of Motor Vehicle Safety Standard for Child Restraint System **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1029). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 10—Amber Alert**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 210.1014, RSMo Supp. 2019, the director rescinds a rule as follows:

11 CSR 30-10.010 Definitions for the Amber Alert **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1029). 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 16—Higher Education Memorandums of Understanding**

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety under section 173.2050, RSMo 2016, the director adopts a rule as follows:

11 CSR 30-16.010 Higher Education Memorandums of Understanding **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1029-1030). 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 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 500—Property and Casualty
Chapter 6—Workers' Compensation and Employers' Liability**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 500-6.300 Self-Insurance **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2019 (44 MoReg 1163-1164). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 1—Organization and Description of Board**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-1.010 Organization and Office Policies of Board **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1305). 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 COMMERCE AND INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.020 Diagnostic Procedures and Instruments **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1305). 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 COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.025 Use of X-rays is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1305). 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 COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1305-1306). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received four (4) comments on the proposed amendment.

COMMENT #1: Dr. Beth Bagley requested the board add cone beam computed tomography (CBCT) to 20 CSR 2070-2.030(2)(B).

RESPONSE: The board noted that 20 CSR 2070-2.030(2) states that diagnostic procedures “include, but are not limited to” and such language would include CBCT. No changes have been made to the rule as a result of this comment.

COMMENT #2: Dr. Darren Kirchner commented 20 CSR 2070-2.030(2)(B)5. be amended removing the word “Axial.”

RESPONSE AND EXPLANATION OF CHANGE: The board agreed with the comment and will amend the rule deleting this word.

COMMENT #3: Dr Quinn James commented 20 CSR 2070-2.030(4)(B) be amended removing the two (2) last sentences of the rule, “The significant observable indication required by this subsection shall not apply to reevaluations of the spinal subluxation complex. The spinal subluxation complex is determined to be a significant observable indication.”

RESPONSE AND EXPLANATION OF CHANGE: The board

agreed with the comment and will amend the rule deleting this language.

COMMENT #4: Dr. Freihaut commented 20 CSR 2070-2.030(4)(B) be amended removing the phrase “significant observable” from the rule, “Repeat radiography evaluation of the patient shall not be undertaken without [*significant observable*] clinical indication, as determined by the treating chiropractic physician.”

RESPONSE AND EXPLANATION OF CHANGE: The board agreed with the comment and will amend the rule deleting this language.

20 CSR 2070-2.030 Diagnostic and Adjunctive Procedures

(2) Diagnostic procedures approved by the board include, but are not limited to, the following—

(B) Diagnostic imaging:

1. Motionless diagnostic X-ray study;
2. Fluoroscopy;
3. Cineradiography;
4. Magnetic Resonance Imaging (MRI);
5. Computerized Tomography (CT SCAN);
6. Ultrasound; or
7. Magnetic Resonance Angiogram (MRA).

(4) In order to avoid overutilization of ionizing radiation, a chiropractic physician shall observe the following guidelines:

(B) Repeat radiographic evaluation of the patient shall not be undertaken without clinical indication, as determined by the treating chiropractic physician.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.031 Meridian Therapy/Acupressure/Acupuncture is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1306). 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 COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board adopts a rule as follows:

20 CSR 2070-2.031 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1306-1309). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

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

COMMENT #1: The board reviewed 20 CSR 2.070-2.031(2)(B) as it relates to the composition of the one hundred (100) hours of board approved, formal hours for certification.

RESPONSE AND EXPLANATION OF CHANGE: The board recommended the language be amended.

COMMENT#2: The board reviewed 20 CSR 2.070-2.031(7) as it relates to the composition of the twelve (12) hours of formal continuing education required to maintain certification. The board recommended the language be amended.

RESPONSE AND EXPLANATION OF CHANGE: The board agrees and recommended the language be amended.

20 CSR 2070-2.031 Meridian Therapy/Acupressure/Acupuncture

(2) An applicant for certification in meridian therapy shall submit the following to the board:

(B) An official transcript or certificate of completion documenting a minimum of one hundred (100) hours of credit of undergraduate or postgraduate study or a combination of each in the use and administration of meridian therapy. The hours of education in meridian therapy shall be approved by the board or from a chiropractic college accredited by the Commission on Accreditation of the Council of Chiropractic Education. For the purpose of this rule, the one hundred (100) hours of study in meridian therapy shall not be offered electronically to include via the internet, webinars, or similar delivery methods and shall not include dry needling; and

(7) The acupuncture certification shall be renewed at the time of licensure renewal. The licensee shall obtain twelve (12) hours of board approved continuing education in meridian therapy prior to the expiration date of the license. The twelve (12) hours of continuing education in meridian therapy shall apply to the twenty-four (24) hours of formal continuing education required to maintain the chiropractic license and shall not include dry needling.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE Division 2070—State Board of Chiropractic Examiners Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.032 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1310). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments on the proposed amendment.

COMMENT #1: Dr. William Madosky commented clarification is needed regarding the repercussions if a chiropractic physician uses a specialty designation not approved by the board, as outlined in 20 CSR 2070-2.032.

RESPONSE: The rule authorizes a chiropractic physician to use the terms “specialty” or “specializing in,” if the specialty is recognized by the state board. If a chiropractic physician uses either of the two (2) aforementioned terms without the specialty being recognized by the board, a license could be subject to discipline pursuant to applicable sections of 331.060.2 RSMo. No changes were made as a result of this comment.

COMMENT #2: Board staff commented on section (6) and recommended a grammatical change.

RESPONSE AND EXPLANATION OF CHANGE: The board agreed with the comment and will amend the rule.

20 CSR 2070-2.032 Specialty Certification

(6) Licensees receiving board-approved specialty certification are entitled to use the terms “specialty” or “specializing in” on advertisements, letterhead, and signage. The specialty certification shall be preceded by the licensee’s name and by one (1) of the following:

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE Division 2070—State Board of Chiropractic Examiners Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.033 Manipulation Under Anesthesia is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1310). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE Division 2070—State Board of Chiropractic Examiners Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.040 Application for Licensure is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1310-1311). 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 COMMERCE AND INSURANCE

**Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board adopts a rule as follows:

20 CSR 2070-2.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1311-1313). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the rule.

COMMENT: Board staff requested the removal of subsection (2)(G) relating to the Special Purpose Examination for Chiropractic (SPEC) as the language conflicts with section 331.030.6, RSMo.

RESPONSE AND EXPLANATION OF CHANGE: The board agreed with the staff comment and will remove subsection (2)(G) and reletter the following subsection.

20 CSR 2070-2.040 Application for Licensure

(2) The application for licensure shall be printed in black ink, signed, and notarized. The following is required for licensure:

(G) When applying for licensure in this state based upon current licensure in another state, official transcripts and examination scores are not required, unless requested by the board.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

**Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.045 Board-Approved Chiropractic Colleges is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1314). 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 COMMERCE AND INSURANCE

**Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners

under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.050 Examination is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1314). 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 COMMERCE AND INSURANCE

**Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.065 Public Complaint Handling and Disposition is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1314-1315). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

**Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.066 Post-Board Order Activity is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1315). 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 COMMERCE AND INSURANCE

**Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners

under section 331.100, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2070-2.070 Reciprocity is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1315-1316). 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 COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.080 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1316-1320). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received four (4) comments on the proposed amendment.

COMMENT #1: Dr. Catherine Dowd commented clarification was needed regarding 20 CSR 2070-2.080(3)(A) and the number of formal categories from which a licensee must obtain continuing education.

RESPONSE: A license must complete continuing education from at least two (2) of the five (5) formal categories of continuing education. No changes were made as a result of this comment.

COMMENT #2: Dr. Tiffany Schnarr Rafferty commented clarification was needed regarding 20 CSR 2070-2.080(3)(A) regarding the total number of categories of formal continuing education and the number of formal categories for which a licensee must obtain continuing education.

RESPONSE: The proposed rule reduces the number for formal categories from sixteen (16) to five (5). A licensee must complete continuing education from at least two (2) of the five (5) formal categories of continuing education. No changes were made as a result of this comment.

COMMENT #3: Dr. William Madosky commented 20 CSR 2070-2.080(3)(A)4. be amended with the addition of a formal continuing education category “physiotherapy” or a variation of the term that allows for extended discussion of tissue change, healing, and rehabilitation using common modalities found in physical rehabilitation.

RESPONSE AND EXPLANATION OF CHANGE: The board agreed with the comment and the term “chiropractic principles and/or techniques” will be amended to “Principles, techniques and/or adjunctive procedures.”

COMMENT #4: Dr. William Madosky questioned whether 20 CSR 2070-2080(9), pertaining to associate examiners for the Part IV

national examination, was intended to limit the number of continuing education hours a chiropractic physician can receive to ten (10) hours per biennial license cycle and why similar hours were not required of chiropractic physicians teaching continuing education or in a chiropractic college.

RESPONSE: In addressing the first part of the comment, the amended rule authorizes a maximum of ten (10) hours of continuing education for each administration of Part IV of the national examination.

In response to the second portion of the comment, teaching a course of study in a chiropractic college or continuing education requires the instructor to thoroughly research the topic being taught, assemble materials, and update the course of study to reflect changes within the profession. An associate examiner must observe and evaluate an examination candidate. The duties of an associate examiner do not correlate to the preparatory responsibilities and delivery of the material to class or seminar attendants. There is a maximum number of hours allowed for continuing education when a chiropractic physician teaches continuing education or in a chiropractic college. No changes were made as a result of this comment.

20 CSR 2070-2.080 Biennial License Renewal

(3) At least twenty-four (24) hours of the required forty-eight (48) hours of continuing education shall be earned by attending formal continuing education programs, seminars, and/or workshops that have been approved by the board.

(A) A licensee shall obtain the required formal continuing education hours from no less than two (2) of the following formal categories:

1. Diagnostic imaging (X ray);
2. Differential or physical diagnosis or both;
3. Record keeping and/or Subjective Objective Assessment Plan (SOAP) notes;
4. Principles, techniques, and/or adjunctive procedures; or
5. Meridian Therapy/acupressure/acupuncture.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

**20 CSR 2070-2.081 Application for Continuing Education
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1320-1323). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners

under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.090 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1324-1326). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board amends a rule as follows:

20 CSR 2070-2.100 Professional Corporations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1327). No changes have been made in the text of the proposed amendment, so it is 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: Dr. William Madosky commented 20 CSR 2070-2.100(1)(F)1. needed a definition of the terms, false, misleading, or deceptive.

RESPONSE: Complaints alleging false, misleading, or deceptive practices involve subjective analysis, in which a consumer's perceptions are part of the determination. Chapter 407 of Missouri's Merchandising Practices Act, Chapter 356 Professional Corporations and section 331.060.2, RSMo, would provide guidance, in pursuing a legal action relating to these terms. No changes were made as a result of this comment.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2070—State Board of Chiropractic Examiners
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Chiropractic Examiners under section 331.100, RSMo 2016, the board adopts a rule as follows:

20 CSR 2070-2.110 Nonresident Military Spouse Licensure is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1327-1330). 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 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240—Public Service Commission
Chapter 20—Electric Utilities

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 393.1030, RSMo Supp. 2018, and sections 386.040 and 386.250, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-20.100 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2019 (44 MoReg 1024-1025). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended May 1, 2019, and the commission held a public hearing on the proposed amendment on May 7, 2019. The commission received timely written comments from the staff of the commission; the Office of the Public Counsel; and Union Electric Company, d/b/a Ameren Missouri. Jamie Myers and Claire Eubanks, on behalf of staff; Lera Shemwell and Dr. Geoff Marke, on behalf of Public Counsel; James Fischer, on behalf of Kansas City Power & Light and KCP&L Greater Missouri Operations Company; Tim Opitz on behalf of Renew Missouri; and Russ Mitten on behalf of Union Electric Company d/b/a Ameren Missouri, appeared at the hearing and offered comments.

COMMENT #1: Public Counsel commented that the "first come, first served" model that underlies the solar rebate model encompassed in the rule represents a largely regressive energy policy decision in that the large up-front capital costs necessary to install a rooftop solar energy system limits the availability of solar rebates for low-income customers and actually serves as an indirect intra-class price discrimination against low-income customers who subsidize the solar rebates, but are unable to claim their share of them. Public Counsel suggest that the rule be modified to offer priority for available solar rebates to homeless shelters and other low-income commercial non-profit organizations that wish to install roof-top solar facilities. Ameren Missouri replied to Public Counsel's suggestion, contending that Public Counsel's proposed targeting of solar rebates to certain utility customers would not be authorized by statute.

RESPONSE: The commission is aware of Public Counsel's concerns, but concludes that the proposed targeting of solar rebates to certain classes of customers is beyond the scope of the proposed amendment as published. The commission will make no changes in response to this comment.

COMMENT #2: Tim Opitz, commenting on behalf of Renew Missouri, expressed support for the proposed amendment and indicated Renew Missouri's strong support for community solar projects. He did not suggest any changes to the proposed amendment.

RESPONSE: The commission thanks Mr. Opitz and Renew Missouri for its support. The commission will make no changes in response to this comment.

COMMENT #3: James Fischer, commenting on behalf of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company, indicated support for Ameren Missouri's comments and proposed changes.

RESPONSE: The commission notes this comment and will address Ameren Missouri's comments and proposed changes subsequently.

COMMENT #4: Ameren Missouri proposes a change in the definition of "RES or Renewable Energy Standard" found in subsection 4 CSR 240-20.100(1)(O). That definition currently refers to sections 393.1025 and 393.1030, RSMo. Ameren Missouri would add a reference to section 393.1670, RSMo, which was created by SB 564 in 2018. The commission's staff opposed Ameren Missouri's proposal because the proposed amendment does not address section (1) of the rule, and because staff is considering these changes in another rulemaking that will address cogeneration and net metering rule changes.

RESPONSE: The commission has proposed to amend only section (4) of this rule. The revised definition proposed by Ameren Missouri in section (1) of the rule is thus outside the section addressed by this proposed amendment and the public has not been notified of any potential changes in section (1) of the rule. In addition, the commission intends to address amendment of section (1) of the rule in a future rulemaking. The commission will make no changes in response to this comment.

COMMENT #5: Ameren Missouri is concerned that while the rule's definition of "customer generator" in 4 CSR 240-20.100(1)(D) is broad enough to include solar rebates made to projects that do not qualify for net metering status, other provisions of the rule juxtapose "customer generator" with "net metering," leaving the impression that a "customer generator" must also receive "net metering" service. Section 393.1670, RSMo does not require a "customer generator" to receive "net metering" service as such customer may instead apply as a Qualifying Facility as defined by the Federal Energy Regulatory Commission. For that reason, Ameren Missouri proposes to delete references to net metering from 4 CSR 240-20.100(2)(B)3., 100(3)(C), 100(3)(C)1., and 100(3)(C)2. Ameren Missouri is concerned that without these changes, provisions of the rule will be inappropriately limited to "net metering" customers. The commission's staff opposed Ameren Missouri's proposal because the proposed amendment does not address section (1) of the rule, and because staff is considering these changes in another rulemaking that will address cogeneration and net metering rule changes.

RESPONSE: The commission has proposed to amend only section (4) of this rule. The revised definition proposed by Ameren Missouri in section (1) of the rule is thus outside the section addressed by this proposed amendment and the public has not been notified of any potential changes in section (1) of the rule. In addition, the commission intends to address amendment of section (1) of the rule in a future rulemaking. The commission will make no changes in response to this comment.

COMMENT #6: Ameren Missouri is concerned that paragraph 4 CSR 240-20.100(4)(D)2. of the proposed amendment limits its application to residential net-metered customers. Ameren Missouri contends SB 564 does not require net-metering as a requirement for receipt of a solar rebate as a residential customer could instead choose to apply as a Qualifying Facility. Ameren Missouri recommends the limiting language be removed from the paragraph and explains that its solar rebate tariff does not contain this limiting language. Staff explains that this is simply clarifying language to explain that net metering customers with systems between 25 kW and 100 kW are eligible to receive a solar rebate. Staff does not believe it is necessary to delete the language.

RESPONSE AND EXPLANATION OF CHANGE: The commission is mindful of Ameren Missouri's concern that solar rebates not be limited to net-metered customers, but will not remove the questioned language. Instead, the phrase "or interconnected" will be

added after "residential net-metered" to make it clear that the provisions are not limited to net-metered customers.

COMMENT #7: Ameren Missouri is concerned that subsection 4 CSR 240-20.100(4)(E) would require all solar electric systems that are less than 100 kW in size to meet all net metering requirements. It contends that net metering requirement is contrary to SB 564 and Ameren Missouri's current solar rebate tariff. Requiring net metering would eliminate the possibility that a small system could instead choose to select Qualifying Facility status. Ameren Missouri proposes alternative language that would not require net metering. Staff initially opposed Ameren Missouri's proposed modification as unnecessary and inappropriate, but now suggests the addition of an alternative reference to the requirements a customer-generator must meet under another commission rule that would not imply a net metering requirement.

RESPONSE AND EXPLANATION OF CHANGE: The commission is mindful of Ameren Missouri's concerns, but rather than entirely replace the existing language of the subsection, the commission will add a reference to 4 CSR 240-20.100(1)(D) which defines customer-generator. This reference will address the concerns of both Ameren Missouri and the commission's staff.

COMMENT #8: Ameren Missouri proposes to modify 4 CSR 240-20.100(4)(L) to strike references to net metering and the twelve month limitation from the net metering rule.

RESPONSE AND EXPLANATION OF CHANGE: The language Ameren Missouri proposes to strike is duplicative and unnecessary. The commission will remove it from the rule.

COMMENT #9: Staff proposes to eliminate the list of values per watt for systems operational at various dates, mostly in the past, contained in paragraph 4 CSR 240-20.100(4)(L)1. Staff explained that the list of values is duplicative of the list found in the statute and is thus unnecessary. No other commenter opposed the deletion of the list.

RESPONSE AND EXPLANATION OF CHANGE: The commission will delete the paragraph as proposed by staff.

COMMENT #10: Staff proposes to strike an unnecessary comma in subsection 4 CSR 240-20.100(4)(I), which had not been proposed to be amended.

RESPONSE: The commission is unable to make a change in a subsection of the rule that was not proposed for amendment.

20 CSR 4240-20.100 Electric Utility Renewable Energy Standard Requirements

(4) Solar Rebate. Pursuant to sections 393.1030 and 393.1670, RSMo, and this rule, electric utilities shall include in their tariffs a provision regarding retail account holder rebates for solar electric systems. These rebates shall be available to Missouri electric utility retail account holders who install new or expanded solar electric systems comprised of photovoltaic cells or photovoltaic panels. As used in this section, customer means retail account holder.

(D) Solar electric systems installed by retail account holders must consist of equipment that is commercially available and factory new when installed on the original account holder's premises, and the principal system components (i.e., photovoltaic modules and inverters) shall be covered by a functional warranty from the manufacturer for a minimum period of ten (10) years, unless determined otherwise by the commission, with the exception of solar battery components. Rebuilt, used, or refurbished equipment is not eligible to receive the rebate.

1. Solar rebates made available prior to January 1, 2019, shall be limited to twenty-five (25) kW for any applicable retail account. Retail accounts which have been awarded rebates for an aggregate of less than twenty-five (25) kW shall qualify to apply for rebates for

system expansions up to an aggregate of twenty-five (25) kW. Systems greater than twenty-five (25) kW but less than one hundred (100) kW in size shall be eligible for a solar rebate up to the twenty-five (25) kW limit of this section.

2. Solar rebates for systems that become operational after January 1, 2019 shall be available for new or expanded solar electric systems up to twenty-five (25) kW for residential customers and one hundred and fifty (150) kW for non-residential customers. Residential net-metered or interconnected solar electric systems greater than twenty-five (25) kW but less than one hundred (100) kW in size shall be eligible for a solar rebate up to the twenty-five (25) kW limit of this section. Customers shall be eligible for rebates on new or expanded systems for the increment of new or expanded capacity and not for capacity on which rebates offered under any other provision of law have previously been paid, up to the system kilowatt limits outlined in this section.

(E) Solar electric systems which are less than 100 kW in size shall meet all requirements of 4 CSR 240-20.065, Net Metering, or all the requirements a customer-generator must meet under 4 CSR 240-20.100(1)(D).

(L) The electric utility shall provide the solar rebate payment to qualified customer-generators within thirty (30) days of confirming the customer-generator's solar electric system is operational.