

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 If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission.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.

or higher on a 4.0 scale, and a)A content area grade point average of 3.00 or higher on a 4.0 scale;

AUTHORITY: sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and section 168.021, RSMo Supp. [2019] 2020. This rule previously filed as 5 CSR 80-800.260. Original rule filed April 26, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.500 Application for Certificate of License to Teach. The State Board of Education is amending subsection (5)(B).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(5) An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the department must comply with the following additional criteria in addition to any requirements specific to the content area for which the applicant seeks certification:

(B) The applicant must possess [an overall] a grade point average to meet the following specifications:

1. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

2. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

1. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[3.]2. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying [cumulative] content area grade point average.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.180 Temporary Authorization Certificate of License to Teach. The State Board of Education is amending subsection (6)(B).

PURPOSE: This amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(6) The applicant for a temporary authorization certificate (excluding a temporary authorization administrator and career education certificate) must comply with the following criteria:

(B) [Possession of an overall grade point average of 2.75

Such satisfactory score shall be higher than the Missouri qualifying score;

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, [RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013] RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.510 Certification Requirements for Teacher of Early Childhood Education (Birth – Grade 3). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Early Childhood Education (Birth – Grade 3) who possesses good moral character may be granted an initial Missouri certificate of license to teach Early Childhood Education (Birth – Grade 3) subject to the certification requirements found in 5 CSR 20- 400.500 and the following additional certification requirements specific to Early Childhood Education (Birth – Grade 3):

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;
2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;
3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the

specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C.]B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended Filed June 22, 2018, effective Jan. 30, 2019. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.520 Certification Requirements for Teacher of Elementary Education (Grades 1-6). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Elementary Education (Grades 1-6) who possesses good moral character may be granted an initial Missouri certificate of license to teach Elementary Education (Grades 1-6) subject to the certification

requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Education (Grades 1-6):

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in *[5 CSR 20-400.310 and] 5 CSR 20-400.440*. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 22, 2018, effective Jan. 30, 2019. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr.

Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.530 Certification Requirements for Teacher of Middle School Education (Grades 5-9). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Middle School Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Middle School Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Middle School Education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in *[5 CSR 20-400.310 and] 5 CSR 20-400.440*. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, [RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013] RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.540 Certification Requirements for Teacher of Secondary Education (Grades 9-12). The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Secondary Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;
2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;
3. The applicant must possess [an overall] a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring

semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C.B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours;

AUTHORITY: sections 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. [2018] 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Jan. 15, 2019, effective Aug. 30, 2019. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.550 Certification Requirements for Teacher of K-12 Education. The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach K-12 Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to K-12 Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri[.];

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department[.];

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements[.]; **and**

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

AUTHORITY: sections: 161.092, 168.011, 168.071, 168.081, 168.400, 168.405, 168.409, [RSMo 2000, 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013.] RSMo 2016, and 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

**Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED AMENDMENT

5 CSR 20-400.560 Certification Requirements for Teacher of Special Education. The State Board of Education is amending subsection (1)(A).

PURPOSE: This proposed amendment would eliminate the required cumulative grade point average in all applicable certification rules.

(1) An applicant for a Missouri certificate of license to teach Special Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Special Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess *[an overall]* a grade point average to meet the following specifications:

[A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.50 or higher on a 4.00 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or]

A. A grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

[C./B. For applicants graduating [in or after the spring semester of the year 2017] from a baccalaureate program who do not meet the appropriate [cumulative] content area grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying [cumulative] content area grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in [5 CSR 20-400.310 and] 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as

determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours;

AUTHORITY: sections: 161.092, 168.011, [168.021,] 168.071, 168.081, 168.400, 168.405, and 168.409, RSMo 2016, and section 168.021, RSMo Supp. 2020. Original rule filed Oct. 29, 2013, effective May 30, 2014. Amended: Filed June 21, 2018, effective Jan. 30, 2019. Amended: Filed Nov. 2, 2020.

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 Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection

PROPOSED AMENDMENT

11 CSR 50-2.020 Minimum Inspection Station Requirements.
The division is amending sections (1) and (2).

PURPOSE: This amendment updates information on approved outside inspection areas at Class B stations, creates a provision for approved outside inspection areas at Class C stations, removes the requirement for brake testing equipment and window tint testing devices at class A, B, and D stations and renumbers within the subsection, and adds requirements for brake pad gauges, ball joint gauges, and jacks/lifting mechanisms at Class C stations and renumbers within the subsection.

(1) Premises.

(A) Each inspection station must have an inspection area within an enclosed building of sufficient length, width, and height to accommodate the type of vehicle being inspected. Class A and D stations are required to accommodate a commercial vehicle. Class B stations must accommodate a **standard** full-size [domestic made] passenger vehicle. Class C stations are required to have sufficient length and width to inspect full-size motorcycles.

[1. In addition to an inside area, an outside inspection area may be approved for the inspection of commercial vehicles at Class B stations, if it is of sufficient length and width of the vehicle or combination of vehicles being inspected.]

1. In addition to an inside area, an outside area may be approved for—

- A. Inspection of commercial vehicles at Class B stations; and**
- B. Inspection of motor tricycles and autocycles at Class C stations.**

2. The area shall be substantially level and constructed of hard material, such as asphalt or concrete. It shall be a part of and adjacent to the official vehicle inspection station.

(2) Equipment.

(A) All inspection stations, except Class C, must have the following equipment which must be arranged and located at or near the inside inspection area:

[1. **Brake performance.** Some method of testing the service brake performance will be required. The use of a decelerometer, brake testing machine, dynamometer or drive and stop test will be recognized;]

[2.]1. **Brake lining gauge.** A gauge will be required to determine the remaining thickness in fractions of an inch of both bonded and riveted linings;

[3.]2. **Brake pad gauge.** Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

[4.]3. **Ball joint gauge.** A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

[5.]4. **Lift or jack.** A lift or jack, capable of hoisting a vehicle properly to check ball joints, suspension linkage and wheel play. If a lift is used, it must be the type which allows the front wheels to be suspended by lifting under the outer extremity of a motor vehicle's lower control arm, cross member or frame;

[6.]5. **Scraper.** A scraper to remove old stickers;

[7.]6. **Measuring device.** Yardstick or steel tape preferred;

[8.]7. **Punch.** An open face paper punch with a round die to validate inspection stickers and decals;

[9.]8. A tire tread depth gauge which is graduated into one-thirty-second inch (1/32") increments must be part of the equipment at inspection stations that inspect school buses; **and**

[10.]9. A one-eighth inch (1/8") drawstring over thirty inches (30") in length with a one-half inch (1/2") hex nut attached to one (1) end to check handrails is required if the station will be inspecting school buses; **and**].

[11. A device which is capable of measuring or comparing the light transmission of all tinted windows.]

(B) Class C inspection stations must have the following equipment:

1. Brake pad gauge. Some type of gauging device to accurately measure the remaining thickness of the brake pad in fractions of an inch while the pad is within the caliper assembly;

2. Ball joint gauge. A ball joint gauge to accurately measure any looseness in the load-carrying ball joint. The gauge must be adapted to measure vertical (up and down) and horizontal (side-to-side) movement;

3. A jack or lifting mechanism capable of lifting the vehicle so at least one (1) wheel is off the ground;

[1.]4. Measuring device; and

[2.]5. Punch.

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver

& Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.030 Inspection Station Classification. The division is amending subsections (1)(A)-(1)(D).

PURPOSE: This amendment changes the types of vehicles Class A-D motor vehicle safety inspection stations are authorized and/or obligated to inspect.

(1) Public inspection stations shall be classified as follows:

(A) Class A stations[—all vehicles] are authorized to inspect all vehicles;

(B) Class B stations[—motor vehicles and autocycles;] are authorized to inspect, at a minimum, standard full-size passenger vehicles and pickups.

1. Class B stations are authorized to inspect larger vehicles, including commercial vehicles that can fit inside their inspection bay.

2. Class B stations are eligible to apply for authorization to inspect commercial vehicles at an outdoor location approved by the Missouri State Highway Patrol.

3. Class B station are eligible to apply for authorization to inspect motorcycles, motor tricycles, and autocycles;

(C) Class C stations[—motorcycles only; and] are only authorized to inspect motorcycles, motor tricycles, and autocycles.

1. Class C stations are eligible to apply for authorization to inspect motor tricycles and autocycles at an outdoor location approved by the Missouri State Highway Patrol; and

(D) Class D stations[—commercial vehicles] are only authorized to inspect commercial motor vehicles.

AUTHORITY: section 307.360, RSMo 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.080 Licensing of Inspector/Mechanics. The division

is amending section (7).

PURPOSE: This amendment changes the types of vehicles each type of inspector/mechanic permit authorizes.

(7) Two (2) types of inspector/mechanic permits are available—[a permit that restricts the inspector/mechanic to motorcycle and motor tricycle inspections only and a permit that authorizes an inspector/mechanic to safety inspect motor vehicles.]

(A) A permit that restricts the inspector/mechanic to motorcycle, motor tricycle, and autocycle inspections only; and

(B) A permit that authorizes the inspector/mechanic to safety inspect motor vehicles.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.090 Inspection Station Operational Requirements. The division is amending section (2).

PURPOSE: This amendment updates information related to where motor vehicle inspections are allowed to be performed.

(2) All inspections must be conducted at the inspection station in the approved inside inspection area[. Large], except that large commercial vehicles, motor tricycles, and autocycles unable to fit within the approved inside inspection area may be inspected in an approved outside inspection area[.] during good weather only[, if the station has an approved outside inspection area. Reinspection of a vehicle's lights, windshield wipers, seat belts, horn, glazing and mirrors may be conducted outside the inspection station on the driveway. Under no circumstances may an inspection be performed at any other location].

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.160 Brake Components. The division is amending subparagraphs (2)(A)1.E., G., K., and L.

PURPOSE: This amendment updates rejection criteria for the inspection of drums, discs, and internal brake components to align with current industry standards.

(2) Drums, Discs, and Internal Brake Components. At least one (1) front or one (1) rear wheel and drum must be removed on each passenger vehicle, one-half (1/2) ton and three-quarter (3/4) ton pickup trucks, or similar type vehicles not equipped with dual rear wheels. Only the wheel must be removed on vehicles equipped with disc brakes. Identification marks shall be made on the wheel and lug before removal so the wheel can be remounted in the same position to insure wheel balance. On drum brake systems, a new cotter pin must always be used when remounting a wheel and drum. The removal of a wheel and/or drum is not required if the brake performance test has been administered using an approved computerized brake testing machine. When an approved computerized brake testing machine is used, and no wheel is removed, the inspector shall mark through the space on the MVI-2 form provided for "Brake Inspected" with the letters "CBTM." When removal of a wheel is required, a wheel appearing to leak brake fluid or grease, shall be the wheel removed to inspect for contamination. Wheels on four- (4-/-) wheel drive vehicles equipped exclusively with drum-type brakes are not required to be removed.

(A) Inspect drums, discs, calipers, linings, pads, wheel cylinders, hoses, lines, and other internal brake components.

1. Reject vehicle if:/—

A. There are substantial cracks on the friction surface extending to open edge of drum or to the edge of a disc;

B. A brake drum or disc has external cracks;

C. Friction surface of disc brake pads, rotor, brake linings, or brake drum is contaminated with oil, grease, or brake fluid;

D. A brake lining is worn into the friction surface of the brake drum where the brake drum cannot be removed after loosening the adjusting screw (backing off of the self-adjusting mechanism);

E. Thinnest point of bonded lining is less than *[one-thirty-second inch (1/32")]* **two thirty-seconds inch (2/32")**;

F. Rivets are loose or missing or if lining or pad is not firmly attached to shoe;

G. Riveted lining is worn to less than *[one-thirty-second inch (1/32")]* **two thirty-seconds inch (2/32")** above any rivet head at thinnest point;

H. Wire is visible on the friction surface of wire-backed linings;

I. Lining is broken or cracked, does not include heat cracks;

J. A primary or secondary shoe and lining is improperly

installed;

K. Bonded pads are worn at any one (1) point to less than *[one-thirty-second inch (1/32")]* **two thirty-seconds inch (2/32")**;

L. Riveted pads are worn at any one (1) point to less than *[five-thirty-seconds inch (5/32")]* **six thirty-seconds inch (6/32")**. If unable to determine if pads are riveted or bonded, pads will be considered to be bonded pads;

M. A wheel cylinder or caliper leaks a sufficient amount of hydraulic brake fluid to cause droplets. Do not mistake assembly fluid for hydraulic fluid;

N. Hoses or tubing leak or are cracked, chafed, flattened, restricted, bubbled, improperly installed, or insecurely fastened;

O. Mechanical parts are missing, broken, or badly worn;

P. There is excessive friction in brake pedal, linkage, or other components;

Q. Pedal levers are improperly positioned or misaligned; or

R. Brake components are misaligned, binding, obstructed, or will not function properly.

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed Dec. 5, 1969, effective Dec. 15, 1969. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.200 Steering Mechanisms. The division is amending sections (1), (2), and (4).

PURPOSE: This amendment updates inspection and rejection criteria for steering wheel play, front and rear wheel play, and ball joints, to align with current industry standards, and updates figures in accordance with changes to rule.

(1) Steering Wheel Play.

(B) Inspect steering.

1. Reject vehicle if:/—

A. Steering gear binds or jams other than at wheel stops;

B. There is more than two inches (2") of free movement in steering wheels up to and including eighteen inches (18") in diameter or more than three inches (3") in steering wheels over eighteen inches (18") in diameter;

C. Power steering belt slips, is frayed, if serpentine power steering belt has sections missing, if fluid level is below manufacturer's minimum fluid level, if hoses or connections are leaking, if a power steering unit has been disconnected and has not been converted to manual steering, or if any component part is missing, loose,

malfunctions, or [leaking] leaks sufficient fluid to cause droplets;

D. Energy absorbing steering column is collapsed or partially collapsed;

E. Steering wheel and steering column are not properly secured; or

F. Steering gear box or steering rack assembly is not securely mounted.

(2) Front and Rear Wheel Play.

(A) An inspection for front and rear wheel play, which includes steering linkage, pitman arm, idler arm, stabilizer bar(s), connections, link(s), wheel bearings, tie rod ends, and adjusting sleeves, can only be made by putting the ball joints under load. To load ball joints, the vehicle must be hoisted—

1. Under the frame if the spring or torsion bar is on the lower control arm (Figure 1, included herein);

2. Under lower control arm, close to ball joint, if spring or torsion bar is on upper control arm (Figure 2, included herein); and

3. From the underside of axle (Figure 3, included herein) if the vehicle is equipped with king pins or Twin I-Beams with ball joints ([Figure 17] **Figure 10**, included herein).

(B) Inspect **front and rear** wheel bearings by grasping the tire—**top and bottom—** by **both top and bottom**, and **[rock] rocking** it in and out. To verify that any looseness detected is in the wheel bearings, notice the movement between the brake drum or disc and the backing plate or splash shield.

(E) Inspect condition of all upper and lower control arms, pivot shafts, pivot shaft mountings, radius arms, and all bushings.

1. Reject vehicle if:—

A. Wheel bearing looseness **in an adjustable wheel bearing** allows relative movement between drum and backing plate (disc and splash shield) of more than one-eighth inch (1/8") measured at the outer circumference of the tire for vehicles ten thousand pounds (10,000 lbs.) Gross Vehicle Weight Rating (GVWR) or less, or one-quarter inch (1/4") for vehicles more than ten thousand pounds (10,000 lbs.) GVWR./;

B. A wheel bearing **is broken, or falls apart** when a wheel is removed to inspect a brake *[or if the bearing is broken]*;

[B./C.] Front wheel movement is in excess of one-fourth inch (1/4") for wheels sixteen inches (16") or less, three-eighths inch (3/8") for wheels over sixteen inches (16") to and including eighteen inches (18") and one-half inch (1/2") for wheels over eighteen inches (18") (see Figures 3, 4, and 5, included herein). (An idler arm or king pin must meet this criteria before being rejected.);

[C./D.] Excessive vertical (up and down) or lateral (side) movement is evident in any of the steering linkage sockets, tapered studs are loose in their mounting holes, any movable joints are locked, any adjusting sleeves are loose, or any joints are not secured with cotter pins or other devices;

E. A **sealed wheel bearing hub assembly exceeds the manufacturer-recommended wear specifications;**

[D./F.] A control arm or radius arm is badly bent or broken, or if a pivot shaft or a pivot shaft mounting or any control arm, radius arm, pivot shaft bushing is badly worn or missing; or

[E./G.] Stabilizer bar(s), links, or connections are badly worn, missing, loose, or broken.

(4) Ball Joints.

(B) In checking the condition of an unloaded ball joint, a ball joint gauge need not be used if the inspector is absolutely certain that the ball joint movement does not exceed the *[prescribed] manufacturing tolerances*. A vehicle will not be rejected unless the vertical (up and down) or horizontal (side-to-side) movement in the load-carrying ball joint has been accurately measured by a ball joint gauge and the measurement exceeds the *[prescribed] manufacturing tolerances*. A vehicle requiring a special tool or method to measure ball joint movement will not be rejected unless the ball joint is obviously dangerous. *[Inspector/mechanics will either contact the Motor*

Vehicle Inspection Division at the nearest troop headquarters or visit the division's website at www.mshp.state.mo.us to obtain manufacturer's specifications on ball joints.]

Acceptable ball joint tolerances are determined by the manufacturer. If the ball joint movement exceeds *[the prescribed] manufacturing tolerances*, the measured movement shall be listed with the defective part on the MVI-2 form (see 11 CSR 50-2.120).

[(C)] Unless a dial indicator or a gauge of the type which screws into a grease fitting is used, it is recommended that the most accurate method of determining vertical (up and down) movement of the ball joint using a gauge which has a roller and pointer, is to remove the dust cup from the spindle and place the pointer rollers of the ball joint gauge on top of the spindle nut (Figures 6 and 7, included herein). In the event that the rollers of a particular brand gauge are too large to rest on top of the spindle nut, the rollers should then be positioned against the bottom of the spindle nut. To measure horizontal (side) movement, place rollers of gauge against tire sidewall and work wheel in and out (Figures 8 and 9, included herein).]

[(D)](C) Inspect ball joints with wear indicator, as shown in Figures *[10]8* and *[14]9*, included herein. Wipe the grease fitting and boss free from dirt and grease. Observe if boss is flush or inside the cover surface.

[(E)] Inspect ball joints without wear indicator by hoisting and unloading the ball joint as indicated in either Figure 6 or Figure 7, included herein. Position a pry bar under the front tire and wheel and with pressure sufficient only to lift the weight of the wheel assembly, move the wheel up and down and observe movement (Figures 6 and 7, included herein). Under no circumstances should there be more upward lifting force exerted than necessary to determine the actual movement of the ball joint stud within the housing. Grasp the tire and wheel assembly at the eleven (11) and five (5) o'clock positions. Work the wheel in and out to detect any looseness. Move hands to the one (1) and seven (7) o'clock positions and repeat (Figures 8 and 9, included herein).

(F) Inspect ball joints on front-wheel drive vehicles as illustrated in Figures 11, 12, 15 and 16, included herein. Inspect vehicles equipped with MacPherson Strut Suspension System as illustrated in Figure 13, included herein.]

(D) Follow manufacturing recommendations to inspect ball joints without wear indicator.

[(G)](E) Inspect ball joints on Twin I-Beam axles using the following procedure. Eliminate all wheel bearing play by applying the service brake. Raise the vehicle by hoisting under the I-Beam axle beneath the spring as shown in Figure *[17]10*, included herein. Grasp the lower edge of the tire and move the wheel in and out. While the wheel is being moved, observe the lower spindle arm and the lower part of the axle jaw. Grasp the upper edge of the tire and move the wheel in and out. While the wheel is being moved, observe the upper spindle arm and the lower part of the axle jaw. Movement of *[.031" (thirty-one thousandths inch)]* **thirty-one thousandths inch (.031")** or greater between the lower or upper portion of the I-Beam and ball joint indicates that a measurement should be made at the circumference of the wheel adjacent to the ball joint that exhibits movement.

[(H)](F) Reject vehicle if:—

1. The grease fitting boss on the wear indicator type ball joint is flush or inside the cover surface;

2. MacPherson Strut Suspension System has severely worn or missing thrust bearing or mounting bushings. If piston rod is bent or unit is not securely mounted to vehicle;

3. There is free play in any direction in a nonload-carrying ball joint. If vertical (up and down) movement in a load-carrying ball joint exceeds *[prescribed] manufacturing tolerances;*

[4. Horizontal (side) movement at tire sidewalls is in excess of prescribed tolerances;

5. *Twin I-Beam axle has movement greater than .031" (thirty-one thousandths inch) when measured at the outer circumference of the wheel;* or

[6.]4. Any joints are not secured with cotter pins or other devices, or if ball stud is loose in the mounting hole.

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020

Figures 1 - 10

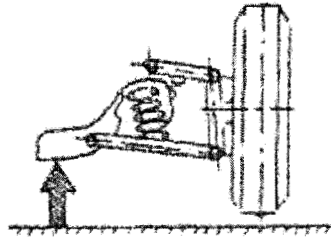


Figure 1

Inspection for wheel bearing adjustment, wheel play and steering linkage with spring on lower control arm

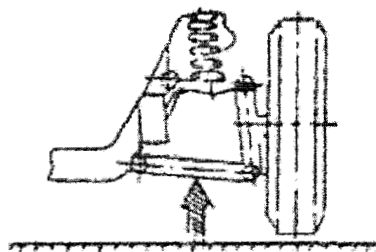


Figure 2

Inspection for wheel bearing adjustment, wheel play and steering linkage with spring on upper control arm.

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020

Figures 1 - 10

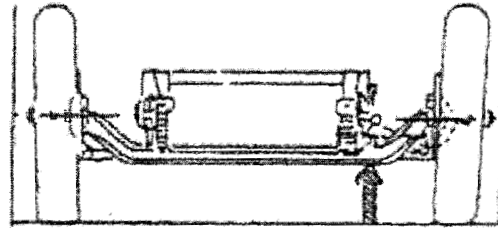


Figure 3

Inspection for wheel bearing adjustment, wheel/king pin (spindle bolt), and linkage play with front axle. (Raise until wheel clears one side at a time)

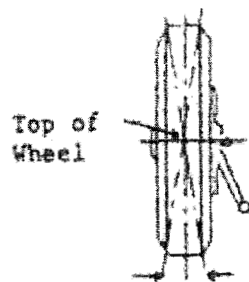


Figure 4

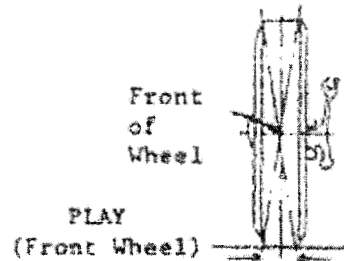


Figure 5

Wheel Play

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020
Figures 1 - 10

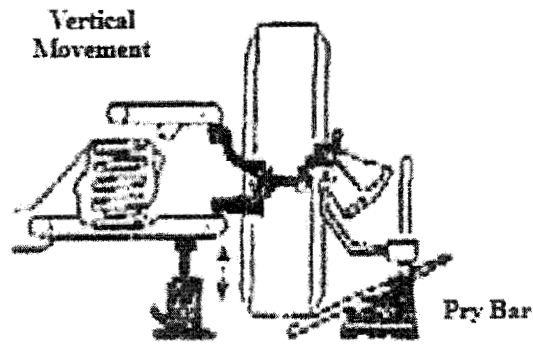


Figure 6

Inspection for ball joint wear with
spring on lower control arm.

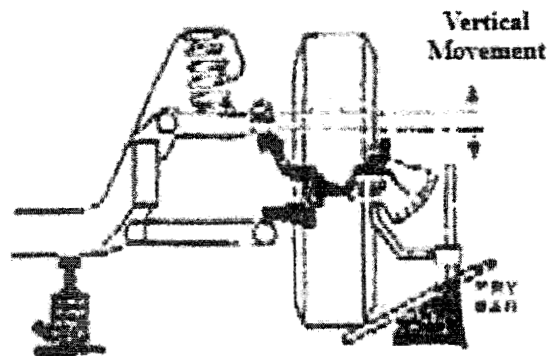


Figure 7

Inspection for ball joint wear with spring on
upper control arm

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020

Figures 1 - 10

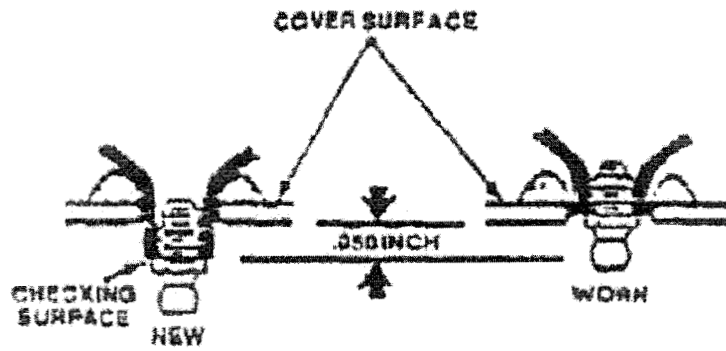
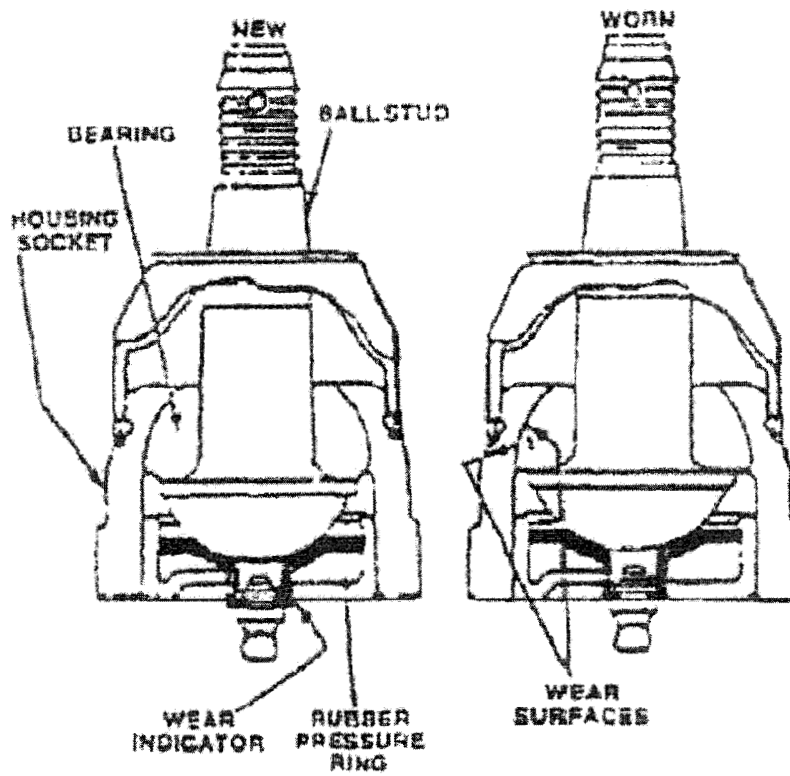


Figure 8

11 CSR 50-2.200 Steering Mechanisms - Proposed Amendment Filed 10/30/2020
Figures 1 - 10

Ford Motor Company
Fairmont & Zephyr (1978-1983)
Mustang & Capri (1979-Present)
Lincoln & Mark (1980-Present)
Continental (1982-1987)
Granada (1981-1982)
LTD & Marquis (1983-Present)

Procedure: These models have a new wear-indicating single lower ball joint system. Support the vehicle in normal driving position, with both ball joints loaded. Inspect using same procedure as ball joints with wear indicators.

Reject Vehicle: If checking surface is inside the ball joint cover.

Figure 9

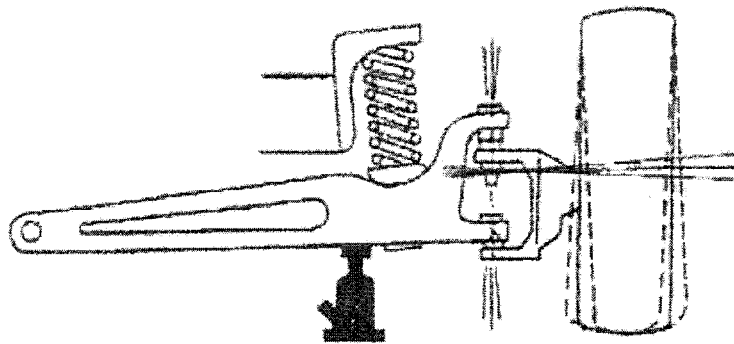


FIGURE 10

**Twin I-Beam front axle
equipped with ball joints**

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 27, 1969, effective April 6, 1969. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.270 Glazing (Glass). The division is removing subsection (3)(E) and amending subsections (5)(D)-(H).

PURPOSE: This amendment updates inspection and rejection criteria for the safety inspection of windshields in motor vehicles.

(3) Types of Damage or Defect.

[(E) Stone nicks or chips: Small chips dislodged from the glass.]

(5) Reject vehicle if[:]-

(D) The windshield has any [*distortion, or*] cracks exceeding three inches (3") in length, within the driver's vision area;

(E) The windshield has any unrepai red star breaks, bull's-eyes, or half moons[, stone nicks, or stone chips] within the driver's vision area[, or has any star breaks, bull's-eyes, half moons, stone nicks, or stone chips more than two inches (2") in diameter at any area outside the driver's vision area; or];

(F) The windshield has any of the following that are more than two inches (2") in diameter at any area outside the driver's vision area: star breaks; bull's-eyes; or half moons;

(G) The windshield has any distortion; or

[(F)](H) Outright breakage, missing pieces, or any break exposing sharp edges is present at any location.

AUTHORITY: section 307.360, RSMo [2000] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver

& Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.300 Mud Flaps. The division is amending (1) and (3)(B) and (C).

PURPOSE: This amendment updates inspection and rejection criteria for the safety inspection of mud flaps.

(1) Trucks without rear fenders, which are intended to be registered for over twenty-four thousand pounds (24,000 lbs.) must be equipped with mud flaps for the rear wheels. Mud flaps must be wide enough to cover the full tread width of the tires. Mud flaps must be installed so that they extend from the underside of the vehicle body in a vertical plane behind the wheels to within eight inches (8") of the ground, **except that mud flaps on dump trucks must be installed so that they extend from the underside of the vehicle body in a vertical plane behind the wheels to within twelve inches (12") of the ground.** [*they*] Mud flaps must be sufficiently rigid to provide adequate protection when the vehicle is in motion.

(3) Reject vehicle if[:]-

(B) Flap is not wide enough to cover the full tread width of the tire(s); [*or*]

(C) Flap is not in a vertical plane extending to within twelve inches (12") of the ground for dump trucks; or

[(C)](D) Flap is not in a vertical plane extending to within eight inches (8") of the ground for all other vehicles that require mud flaps.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection**

PROPOSED AMENDMENT

11 CSR 50-2.310 Seat Belts. The division is amending subsections

(4)(C)-(G) of the rule.

PURPOSE: This amendment updates inspection and rejection criteria for the safety inspection of seat belts.

(4) Reject vehicle if[:]-

(A) [Not equipped, if required, with two (2) sets of seat belts in front seat] Any front seat is not equipped with a required seatbelt, equivalent to those installed by the manufacturer;

(B) Front seat is covered so as to prohibit the use of required belts;

(C) The seat in the driver's position is not capable of working in conjunction with a properly adjusted and fastened seat belt;

(D) The seat in the driver's position is not securely attached to the vehicle;

(E) The seat in the driver's position cannot maintain a stable position;

[(C)](F) A belt, buckle, bracket or motor is inoperative which prohibits designed function; or

[(D)](G) Belt webbing is frayed, split or torn.

AUTHORITY: section 307.360, RSMo [1994] 2016. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. Amended: Filed March 9, 1970, effective March 19, 1970. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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 Department of Public Safety, Missouri State Highway Patrol, Driver & Vehicle Safety Division, PO Box 568, 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 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection

PROPOSED RESCISSION

11 CSR 50-2.340 Off-Highway Use Vehicles (ATV-OHV). This rule provided instructions and guidelines for the completion of inspections of all-terrain vehicles (ATV) and off-highway vehicles (OHV).

PURPOSE: This rule is being rescinded due to the absence of statute that authorizes the safety inspection of vehicles not designed for operation on public roadways.

AUTHORITY: section 307.360, RSMo 2000. Original rule filed Nov. 9, 1971, effective Nov. 19, 1971. For intervening history, please consult the Code of State Regulations. Rescinded: Filed Oct. 30, 2020.

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 Public Safety, Missouri State Highway Patrol, PO Box 568, 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 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 25—Motor Vehicle Financial Responsibility

PROPOSED AMENDMENT

12 CSR 10-25.150 Financial Responsibility Sampling. The department is amending sections (1)-(3), (5)-(6), and removing section (7).

PURPOSE: This proposed amendment is necessary to conform to changes made in section 303.026, RSMo.

(1) A licensed insurance company, as referred to in section 303.026, RSMo, shall include any insurance company which has been issued a certificate of authority by the Missouri Department of Commerce and Insurance and writes private passenger automobile liability insurance.

(2) All licensed insurance companies, upon request by the director of revenue, shall provide the full name, date of birth, drivers license or Social Security number, and address of the named insured; the make, year, and the vehicle identification number as shown on the company's record of each insured motor vehicle; the policy number, effective date of the policy, and the National Association of Insurance Commissioners (NAIC) identification number. [By the seventh day of each month, s/]Such information shall be electronically submitted on all active liability policies for [the previous] a given month by the seventh day of each following month. At such time as the director has a computer system capable of making real-time inquiries or receiving real-time electronic reporting of the policy information reported pursuant to this section, all license insurance companies shall be required to provide all active liability policies in real-time.

(3) Policy information electronically reported pursuant to section (2) of this rule shall be reported only on active liability policies written for vehicles that are principally garaged in the state of Missouri.

(5) As used in this rule, the term "private passenger automobile liability insurance" shall have the same meaning as the term "private automobile insurance" as defined and used in section 374.450, RSMo, and 20 CSR 600-3.100, except that the term shall be limited to liability insurance. Private passenger automobile liability insurance shall also include liability insurance policies issued on motorcycles, autocycles, and motortricycles.

(6) For purposes of electronically reporting insurance information pursuant to section 303.026, RSMo, electronic reporting shall be defined as reporting in a manner by which the data is exchanged between the insurance company and the director of revenue through use of the department's computer system without requiring the director to manually enter the information through human intervention. [An electronic format shall include, but not be limited to, online, Internet E-mail, tape, and disk.]

[(7) Insurers with a statistically insignificant number of policies in force shall be exempt from the requirement to electronically report the information described in section (2) of this rule. For purposes of section 303.026, RSMo, insurers with a statistically insignificant number of policies in force

shall be defined as any licensed insurance company which has fewer than one hundred (100) active liability policies. Those companies that are exempt from electronic reporting and do not report electronically shall report the information required by section (2) of this rule to the director of revenue using a written format as specified by the director.]

AUTHORITY: section 303.290, RSMo [1994] 2016. Original rule filed Aug. 21, 2000, effective Feb. 28, 2001. Amended: Filed Oct. 28, 2020.

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 Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. 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 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

PROPOSED AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The Director of Revenue proposes to amend section (1) to reflect the interest to be charged on unpaid, delinquent taxes.

PURPOSE: This proposed amendment establishes the annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during 2021.

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governors of the Federal Reserve System in the Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%
1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%
2005	5%
2006	7%
2007	8%
2008	8%

2009	5%
2010	3%
2011	3%
2012	3%
2013	3%
2014	3%
2015	3%
2016	3%
2017	4%
2018	4%
2019	5%
2020	5%
2021	3%

AUTHORITY: section 32.065, RSMo 2016. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb. 19, 1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 19, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 19, 2020.

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 Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Counties	<i>This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. The 2021 interest rate imposed on delinquent taxes is less than that imposed in 2020.</i>
Cities	
Special Taxing Districts	

III. WORKSHEET

The proposed amendment establishes the rate of interest for 2021 at three percent (3%), which is less than the rate in 2020

This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate. Because the 2021 interest rate imposed on delinquent taxes is less than the rate imposed in 2020, the interest rate will be lower on each \$100 of delinquent taxes to public entities.

Interest on Delinquent Taxes Paid to Department of Revenue

	Current Rule 5.00%	Proposed Amendment 3.00%
Example:		
Past due tax amount	\$100.00	\$100.00
Interest Amount (%)	\$5.00	\$3.00
Total Amount Due	\$105.00	\$103.00

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the Director of Revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year, as set by the Board of Governors of the Federal Reserve, rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2020 was three point two five percent (3.25%) . The actual bank prime loan rate noted by the Federal Reserve in 2019 was five point two five percent (5.25%).

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
Any taxpayer with delinquent tax.	Any taxpayer with delinquent tax.	<i>This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. The 2021 interest rate imposed on delinquent taxes is less than that imposed in 2020. The actual number of affected taxpayers is unknown.</i>

III. WORKSHEET

The proposed amendment establishes the rate of interest for 2021 at three percent (3%), which is less than the rate in 2020.

This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. Because the 2021 interest rate imposed on delinquent taxes is less than the rate imposed in 2020, the interest rate will be lower on each \$100 of delinquent taxes to private entities. The actual number of affected taxpayers is unknown.

Interest on Delinquent Taxes Paid to Department of Revenue

	Current Rule 5.00%	Proposed Amendment 3.00%
Example:		
Past due tax amount	\$100.00	\$100.00
Interest Amount (%)	\$5.00	\$3.00
Total Amount Due	\$105.00	\$103.00

IV. ASSUMPTIONS

Pursuant to Section 32.065, RSMo, the Director of Revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year, as set by the Board of Governors of the Federal Reserve, rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2020 was three point two five percent (3.25%). The actual bank prime loan rate noted by the Federal Reserve in 2019 was five point two five percent (5.25%).

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 102—Sales/Use Tax—Taxpayers Rights**

PROPOSED AMENDMENT

12 CSR 10-102.100 Bad Debts Credit or Refund. The department is amending section (1).

PURPOSE: This amendment reflects the Legislature's changing of the statute of limitations from three (3) years to ten (10) years.

(1) In general, a seller may file for a credit or refund within the [three] ten- (10-) year statute of limitations when sales are written off as bad debts.

AUTHORITY: section 144.270, RSMo 2016. This rule originally filed as 12 CSR 10-115.100. Original rule filed April 19, 2000, effective Oct. 30, 2000. Changed to 12 CSR 10-102.100 Dec. 31, 2000. Amended: Filed Oct. 28, 2020.

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 Department of Revenue, Administration Division, 301 W High Street, Room 218, Jefferson City, MO 65105-0475. 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances**

PROPOSED AMENDMENT

19 CSR 30-1.002 Schedules of Controlled Substances. The department is amending section (1).

PURPOSE: This proposed amendment updates the Schedules of Controlled Substances to be consistent with 21 CFR Part 1308.

(1) Schedules of Controlled Substances.

(A) Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Drug Enforcement Administration (DEA) Controlled Substances Code Number set forth opposite it.

1. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

- A. Acetyl-alpha-methylfentanyl
(N-(1-(1-methyl-2-phenethyl)-4-piperidinyl)-N-phenylacetamide) 9815
- B. Acetylmethadol 9601
- C. Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-

- N-phenylacetamide) 9821
- D. N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: acryl fentanyl, acryloylfentanyl) 9811
- E. AH-7921(3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide) 9551
- F. Allylprodine 9602
- G. Alphacetylmethadol (except levoalphacetylmethadol also known as levo-alpha acetylmethadol levothadyl acetate or LAAM) 9603
- H. Alphameprodine 9604
- I. Alphamethadol 9605
- J. Alpha-methylfentanyl (N-1-(alphamethyl-beta-phenyl)ethyl-4-piperidyl)propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine) 9814
- K. Alpha-methylthiofentanyl (N-(1-methyl-2-(2-thienyl)ethyl-4-piperidinyl)-N-phenylpropanamide) 9832
- L. Benzethidine 9606
- M. Betacetylmethadol 9607
- N. Beta-hydroxyfentanyl (N-(1-(2-hydroxy-2-phenethyl)-4-piperidinyl)-N-phenylpropanamide) 9830
- O. Beta-hydroxy-3-methylfentanyl (other name: N-(1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl)-N-phenylpropanamide) 9831
- P. N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropanamide (Other names: beta-hydroxythiofentanyl) 9836
- /P./Q. Betameprodine 9608
- /Q./R. Betamethadol 9609
- /R./S. Betaprodine 9611
- /S./T. Clonitazene 9612
- U. Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide) 9845
- /T./V. Dextromoramide 9613
- /U./W. Diampromide 9615
- /V./X. Diethylthiambutene 9616
- /W./Y. Difenoxin 9168
- /X./Z. Dimenoxadol 9617
- /Y./AA. Dimpheptanol 9618
- /Z./BB. Dimethylthiambutene 9619
- /AA./CC. Dioxaphetyl butyrate 9621
- /BB./DD. Dipipanone 9622
- /CC./EE. Ethylmethylthiambutene 9623
- /DD./FF. Etonitazene 9624
- /EE./GG. Etoxadine 9625

<i>[FF.]HH.</i> <i>N</i> -(4-fluorophenyl)- <i>N</i> -(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: 4-fluoroisobutyryl fentanyl, <i>para</i> -fluoroisobutyryl fentanyl)	9824	<i>[BBB.]GGG.</i> Phenoperidine	9641
<i>[GG.]II.</i> <i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenylfuran-2-carboxamide (Other names: furanyl fentanyl)	9834	<i>[CCC.]HHH.</i> Piritramide	9642
<i>[HH.]JJ.</i> Furethidine	9626	<i>[DDD.]III.</i> Proheptazine	9643
<i>[II.]KK.</i> Hydroxypethidine	9627	<i>[EEE.]JJJ.</i> Propoperidine	9644
<i>[JJ.]LL.</i> Ketobemidone	9628	<i>[FFF.]KKK.</i> Propiram	9649
<i>[KK.]MM.</i> Levomoramide	9629	<i>[GGG.]LLL.</i> Racemoramide	9645
<i>[LL.]NN.</i> Levophenacymorphan	9631	<i>[HHH.]MMM.</i> <i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenyltetrahydrofuran-2-carboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: tetrahydrofuranyl fentanyl)	9843
OO. Methoxyacetyl fentanyl (2-methoxy-<i>N</i>-(1-phenethylpiperidin-4-yl)-<i>N</i>-phenylacetamide)	9825	<i>[III.]NNN.</i> Thiofentany (<i>N</i> -phenyl- <i>N</i> -(1-(2-thienyl)ethyl-4-piperidinyl)-propanamide)	9835
<i>[MM.]PP.</i> 3-Methylfentanyl (<i>N</i> -(3-methyl-1-(2-phenylethyl)-4-piperidyl)- <i>N</i> -phenylpropanamide), its optical and geometric isomers, salts, and salts of isomers	9813	<i>[JJJ.]OOO.</i> Tilidine	9750
<i>[NN.]QQ.</i> 3-Methylthiofentany (<i>N</i> -(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl)- <i>N</i> -phenylpropanamide)	9833	<i>[KKK.]PPP.</i> Trimeperidine	9646
<i>[OO.]RR.</i> Morpheridine	9632	2. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:	
<i>[PP.]SS.</i> MPPP (1-methyl-4-phenyl-4-propionoxypiperidine)	9661	A. Acetorphine	9319
<i>[QQ.]TT.</i> MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine)	(9560)	B. Acetyldihydrocodeine	9051
<i>[RR.]UU.</i> Noracymethadol	9633	C. Benzylmorphine	9052
<i>[SS.]VV.</i> Norlevorphanol	9634	D. Codeine methylbromide	9070
<i>[TT.]WW.</i> Normethadone	9635	E. Codeine- <i>N</i> -Oxide	9053
<i>[UU.]XX.</i> Norpipanone	9636	F. Cyprenorphine	9054
<i>[VV.]YY.</i> <i>N</i> -(2-fluorophenyl)-2-methoxy- <i>N</i> -(1-phenethylpiperidin-4-yl)acetamide, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: ocfentanil)	9838	G. Desomorphine	9055
ZZ. <i>ortho</i>-Fluorofentanyl (<i>N</i>-(2-fluorophenyl)-<i>N</i>-(1-phenethylpiperidin-4-yl)propionamide); other name: 2-fluorofentanyl)	9816	H. Dihydromorphine	9145
AAA. <i>para</i>-Fluorobutyryl fentanyl (<i>N</i>-(4-fluorophenyl)-<i>N</i>-(1-phenethylpiperidin-4-yl)butyramide)	9823	I. Drotebanol	9335
<i>[WWW.]BBB.</i> Para-fluorofentany (<i>N</i> -(4-fluorophenyl)- <i>N</i> -(1-(2-phenethyl)-4-piperidinyl) propanamide)	9812	J. Etorphine (except hydrochloride salt)	9056
<i>[XX.]CCC.</i> PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine)	9663	K. Heroin	9200
<i>[YY.]DDD.</i> Phenadoxone	9637	L. Hydromorphanol	9301
<i>[ZZ.]EEE.</i> Phenampromide	9638	M. Methyldesorphine	9302
<i>[AAA.]FFF.</i> Phenomorphan	9647	N. Methyldihydromorphine	9304
		O. Morphine methylbromide	9305
		P. Morphine methylsulfonate	9306
		Q. Morphine- <i>N</i> -Oxide	9307
		R. Myrophine	9308
		S. Nicocodeine	9309
		T. Nicomorphine	9312
		U. Normorphine	9313
		V. Pholcodine	9314
		W. Thebacon	9315
		3. Opiate Similar Synthetic Substances. Substances scheduled by the United States Drug Enforcement Administration as substances that share a pharmacological profile similar to fentanyl, morphine, and other synthetic opioids, unless specifically excepted or unless listed in another schedule. These substances are[:]-	
		A. Butyryl fentanyl (<i>N</i> -(1-phenethylpiperidin-4-yl)- <i>N</i> -phenylbutyramide)	9822
		B. U-47700 (3,4-Dichloro- <i>N</i> -[2-(dimethylamino)cyclohexyl]- <i>N</i> methylbenzamide)	9547
		4. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or which contains any of its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (1)(A)4. of this rule only, the term isomer includes the optical, position, and geometric isomers.):	
		A. Alpha-ethyltryptamine	7249

Some trade or other names: erythramine; Monase; alpha-ethyl-1 <i>H</i> -indole-3-ethenamine; 3-(2-aminobutyl)indole; alpha-ET; and AET;	526	Some trade and other names: <i>N, N</i> -Diethyltryptamine; DET;	526
B. 4-bromo-2,5-dimethoxyamphetamine	7391	BB. Dimethyltryptamine	7435
Some trade or other names: 4-bromo-2, 5- dimethoxy- <i>a</i> -methylphenethylamine; 4-bromo- 2, 5-DMA;		CC. 5-methoxy- <i>N, N</i> -diisopropyltryptamine (other name: 5-MeODIPT)	7439
C. 4-bromo-2,5-dimethoxyphenethylamine	7392	DD. Ibogaine	7260
D. 2,5-dimethoxyamphetamine	7396	Some trade and other names: 7-Ethyl- 6,6β,7,8,9,10,12,13-octahydro-2-methoxy-6, 9-methano-5 <i>H</i> -pyrido [1',2':1,2] azepino[5,4- <i>b</i>] indole; Tabernanthe iboga;	
Some trade or other names: 2,5-dimethoxyamethylphenethylamine; 2,5-DMA;		EE. Lysergic acid diethylamide	7315
E. 2,5-dimethoxy-4-ethylamphetamine	7399	FF. Marihuana	7360
Some trade or other names: DOET		Some trade or other names: marijuana;	
F. 2,5-dimethoxy-4-(<i>n</i> -propylthiophenethylamine (other name: 2C-T-7)	7348	GG. Mescaline	7381
G. 2-(2,5-Dimethoxy-4-(<i>n</i> -propylphenyl) ethanamine (2C-P)	7524	HH. Parahexyl	7374
H. 2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C-E)	7509	Some trade or other names: 3-Hexyl-1- hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl- 6 <i>H</i> -dibenzo[<i>b, d</i>]pyran; Synhexyl;	
I. 2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C-D)	7508	II. Peyote	7415
J. 2-(2,5-Dimethoxy-4-nitrophenyl) ethanamine (2C-N)	7521	Meaning all parts of the plant presently classified botanically as <i>Lophophora williamsii</i> Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or extracts;	
K. 2-(2,5-Dimethoxyphenyl) ethanamine (2C-H)	7517	JJ. <i>N</i> -ethyl-3-piperidyl benzilate	7482
L. 2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C)	7519	KK. <i>N</i> -methyl-3-piperidyl benzilate	7484
M. 2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-2)	7385	LL. Psilocybin	7437
N. 2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I)	7518	MM. Psilocyn	7438
O. 2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-4)	7532	NN. Tetrahydrocannabinols naturally contained in a plant of the genus <i>Cannabis</i> (<i>cannabis</i> 7370 plant), as well as synthetic equivalents of the substances contained in the cannabis plant or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers, or both, with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:	
P. 4-methoxyamphetamine	7411	(I) 1 <i>cis</i> or <i>trans</i> tetrahydrocannabinol and their optical isomers;	
Some trade or other names: 4-methoxyamethylphenethylamine; paramethoxyamphetamine; PMA;		(II) 6 <i>cis</i> or <i>trans</i> tetrahydrocannabinol and their optical isomers;	
Q. 5-methoxy-3,4-methylenedioxyamphetamine	7401	(III) 3,4 <i>cis</i> or <i>trans</i> tetrahydrocannabinol and its optical isomers; and	
R. 4-methyl-2,5-dimethoxyamphetamine	7395	(IV) Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered./.;	
Some trade and other names: 4-methyl-2, 5- dimethoxy- <i>a</i> -methylphenethylamine; DOM; and STP;		OO. Ethylamine analog of phencyclidine	7455
S. 3,4- methylenedioxyamphetamine	7400	Some trade or other names: <i>N</i> -ethyl-1- phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine, <i>N</i> -(1-phenylcyclohexyl)-ethylamine, cyclohexamine, PCE;	
T. 3,4-methylenedioxy-methamphetamine (MDMA)	7405	PP. Pyrrolidine analog of phencyclidine	7458
U. 3,4-methylenedioxy- <i>N</i> -ethylamphetamine (also known as <i>N</i> -ethylalphamethyl-3,4 (methylenedioxy) phenethylamine, <i>N</i> -ethyl MDA, MDE and MDEA)	7404	Some trade or other names: 1-(1-phenylcyclohexyl)- pyrrolidine PCPy, PHP;	
V. <i>N</i> -hydroxy-3,4-methylenedioxyamphetamine (also known as <i>N</i> -hydroxyalpha-methyl-3,4 (methylenedioxy) phenethylamine and <i>N</i> -hydroxy MDA)	7402	QQ. Thiophene analog of phencyclidine	7470
W. 3,4,5- trimethoxyamphetamine	7390	Some trade or other names: 1-(1-(2-thienyl)- cyclohexyl)-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP;	
X. 5-MeO-DMT or 5-methoxy- <i>N, N</i> -dimethyltryptamine	7431	RR. 1-(1-(2-thienyl)cyclohexyl) pyrrolidine	7473
Y. Alpha-methyltryptamine	7432	Some other names: TCPy.	
Z. Bufotenine	7433	SS. <i>Salvia divinorum</i>	
Some trade and other names: 3-(<i>b</i> -Dimethylaminoethyl)- 5-hydroxy-yindole; 3-(2-dimethylaminoethyl)- 5-indolol; <i>N, N</i> -dimethylserotonin; 5-hydroxy- <i>N, N</i> -dimethyltryptamine; mappine;		TT. Salvinorin A	
AA. Diethyltryptamine	7434	UU. 3-Fluoromethcathinone	1233
		VV. 4-Fluoromethcathinone	1238
		WW. Mephedrone, or 4-methylmethcathinone	1248
		XX. Methylenedioxypropylvalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone	7535

YY. Methylone, or 3,4-Methylenedioxyamphetaminone	7540	MMM. Butylone (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one)	7541
ZZ. Quinolin-8-yl 1-pentyl-1 <i>H</i> indole-3-carboxylate (PB-22; QUPIC)	7222	NNN. Pentedrone (Other names: α -methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one)	1246
AAA. Quinolin-8-yl 1-(5-fluoropentyl)-1 <i>H</i> -indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22)	7225	OOO. Pentylone (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one)	7542
BBB. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1 <i>H</i> indazole-3-carboxamide (AB-FUBINACA)	7012	PPP. Naphyrone (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one)	1258
CCC. <i>N</i> -(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1 <i>H</i> -indazole-3-carboxamide (ADB-PINACA)	7035	QQQ. α -pyrrolidinobutiophenone (Other names: α -PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one)	7546
DDD. (1-pentyl-1 <i>H</i> -indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole)	7144	RRR. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 <i>H</i> indazole-3-carboxamide (Other names: AB-CHMINACA)	7031
EEE. [1-(5-fluoro-pentyl)-1 <i>H</i> indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole)	7011	SSS. <i>N</i> -(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1 <i>H</i> indazole-3-carboxamide (Other names: AB-PINACA)	7023
FFF. <i>N</i> -(1-adamantyl)-1-pentyl-1 <i>H</i> indazole-3-carboxamide (Other names: APINACA, AKB48)	7048	TTT. [1-(5-fluoropentyl)-1 <i>H</i> indazol-3-yl](naphthalen-1-yl)methanone (Other names: THJ-2201)	7024
GGG. 2-(4-iodo-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5)	7538	UUU. <i>N</i> -(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1 <i>H</i> indazole-3-carboxamide (Other names: MAB-CHMINACA; ADB-CHMINACA)	7032
HHH. 2-(4-chloro-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82)	7537	VVV. methyl 2-(1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA)	7034
III. 2-(4-bromo-2,5-dimethoxyphenyl)- <i>N</i> -(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36)	7536	WWW. methyl 2-(1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB)	7033
JJJ. 4-methyl- <i>N</i> -ethylcathinone (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one)	1249	XXX. <i>N</i> -(adamantan-1-yl)-1-(5-fluoropentyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48)	7049
KKK. 4-methyl- α -pyrrolidinopropiophenone, (Other names: 4-MePPP; MePPP; 4-methyl- α -pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)-propan-1-one)	7498	YYY. <i>N</i> -(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1 <i>H</i> -indazole-3-carboxamide (Other names: ADB-FUBINACA)	7010
LLL. α -pyrrolidinopentiophenone (Other names: α -PVP; α -pyrrolidinovalerophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one)	7545		

ZZZ. methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate
(Other names:
MDMB-CHMICA,
MMB-CHMINACA) **7042**

AAAA. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate
(Other names:
MDMB-FUBINACA) **7020**

BBBB. methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate
(Other names:
FUB-AMB, MMB-FUBINACA, AMB-FUBINACA) **(7021)**

[UU.]CCCC. Synthetic cannabinoids: Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(I) Any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the naphthyl ring to any extent. Including, but not limited to:

- (a) AM2201, or 1-(5-fluoropentyl)-3-(1-naphthoyl)indole **7201**
- (b) JWH-007, or 1-pentyl-2-methyl-3-(1-naphthoyl)indole **7118**
- (c) JWH-015, or 1-propyl-2-methyl-3-(1-naphthoyl)indole **7019**
- (d) JWH-018, or 1-pentyl-3-(1-naphthoyl)indole **7173**
- (e) JWH-019, or 1-hexyl-3-(1-naphthoyl)indole **7081**
- (f) JWH-073, or 1-butyl-3-(1-naphthoyl)indole **7122**
- (g) JWH-081, or 1-pentyl-3-(4-methoxy-1-naphthoyl)indole **7200**
- (h) JWH-098, or 1-pentyl-2-methyl-3-(4-methoxy-1-naphthoyl)indole **7122**
- (i) JWH-122, or 1-pentyl-3-(4-methyl-1-naphthoyl)indole **7122**
- (j) JWH-164, or 1-pentyl-3-(7-methoxy-1-naphthoyl)indole **7200**
- (k) JWH-200, or 1-(2-(4-(morpholinyl)ethyl))-3-(1-naphthoyl)indole **7200**
- (l) JWH-210, or 1-pentyl-3-(4-ethyl-1-naphthoyl)indole **7398**
- (m) JWH-398, or 1-pentyl-3-(4-chloro-1-naphthoyl)indole **7398**

(II) Any compound structurally derived from 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(III) Any compound structurally derived from 1-(1-naph-

thylmethyl)indene by substitution at the 3-position of the indene ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;

(IV) Any compound structurally derived from 3-phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (a) JWH-201, or 1-pentyl-3-(4-methoxyphenylacetyl)indole
- (b) JWH-203, or 1-pentyl-3-(2-chlorophenylacetyl)indole **7203**
- (c) JWH-250, or 1-pentyl-3-(2-methoxyphenylacetyl)indole **6250**
- (d) JWH-251, or 1-pentyl-3-(2-methylphenylacetyl)indole
- (e) RCS-8, or 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole **7008**

(V) Any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol by substitution at the 5-position of the phenolic ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not substituted in the cyclohexyl ring to any extent. Including, but not limited to:

(a) CP 47,497 & homologues, or 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, where side chain n=5, and homologues where side chain n=4,6, or 7; **7297, 7298**

(VI) Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent. Including, but not limited to:

- (a) AM-694, or 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole **7694**
- (b) RCS-4, or 1-pentyl-3-(4-methoxybenzoyl)indole (SR-19 and RCS-4) **7104**

(VII) CP 50,556-1, or [(6S,6aR,9R,10aR)-9-hydroxy-6-methyl-3-[(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenanthridin-1-yl] acetate;

(VIII) HU-210, or (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

(IX) HU-211, or Dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol;

(X) Dimethylheptylpyran, or DMHP.

5. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- A. Gamma-hydroxybutyric acid and other names GHB; gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutonic acid; sodium oxybate; sodium oxybutyrate; **2010**
- B. Mecloqualone **2572**
- C. Methaqualone **2565**

6. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation

which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Aminorex 1585
Some trade or other names: aminoxaphen; 2-amino-5-phenyl-2-oxazolone; 4,5-dihydro-5-phenyl-2-oxazolamine;

B. *N*-benzylpiperazine (some other names: BZP, 1-benzylpiperazine) 7493

C. Cathinone (Some trade or other names: 2-amino-1-phenyl-1-propanone, alphaaminopropiophenone, 2-aminopropiophenone and norephedrone) 1235

D. Fenethylamine 1503

E. 3-Fluoromethcathinone 1233

F. 4-Fluoromethcathinone 1238

G. Mephedrone, or 4-methylmethcathinone 1248]

H. *J*. *E*. Methcathinone 1237

Some trade or other names: 2-(methylamino)- propiophenone; alpha-(methylamino) propiophenone; 2-(methylamino)-1-phenylpropan-1-one; alpha-*N*-methylaminopropiophenone; monomethylpropion; ephedrone; *N*-methylcathinone; methylcathinine; AL-464; AL-422; AL-463 and URI 432;

I. *J*. *F*. 4-methoxymethcathinone

J. *J*. *G*. cis-4-methylaminorex (cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine) 1590

K. Methylenedioxypyrovalerone, MDPV, or (1-(1,3-Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone) 7535

L. Methylone, or 3,4-Methylenedioxymethcathinone 7540]

M. *H*. 4-Methyl-alpha-pyrrolidinobutiophenone, or MPBP

N. *I*. *N*-ethylamphetamine 1475

O. *J*. *N,N*-dimethylamphetamine 1480

(some other names: *N,N*-alpha-trimethylbenzeneethanamine; *N,N*-alphatrimethylphenethylamine)

P. Quinolin-8-yl 1-pentyl-1Hindole-3-carboxylate (PB-22; QUPIC) 7222

Q. Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (5-fluoro-PB-22; 5F-PB-22) 7225

R. *N*-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1Hindazole-3-carboxamide (AB-FUBINACA) 7012

S. *N*-(1-amino-3, 3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA) 7035]

7. A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture, or preparation which contains any quantity of the following substances:

A. (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric

isomers, salts, and salts of isomers (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole) 7144

B. [1-(5-fluoro-pentyl)-1Hindol-3-yl](2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, 1-(5-fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole) 7011

C. *N*-(1-adamantyl)-1-pentyl-1Hindazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomer (Other names: APINACA, AKB48) 7048

D. 2-(4-iodo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5) 7538

E. 2-(4-chloro-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82) 7537

F. 2-(4-bromo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36) 7536

G. 4-methyl-*N*-ethylcathinone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MEC; 2-(ethylamino)-1-(4-methylphenyl)propan-1-one) 1249

H. 4-methyl-alpha-pyrrolidinopropiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MePPP; MePPP; 4-methyl-alpha-pyrrolidinopropiophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)propan-1-one) 7498

I. alphapyrrolidinopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: alpha-PVP; alpha-pyrrolidinovalephophenone; 1-phenyl-2-(pyrrolidin-1-yl)pentan-1-one) 7545

- J. Butylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: bk-MBDB; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one) 7541
- K. Pentedrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: α -methylaminovalerophenone; 2-(methylamino)-1-phenylpentan-1-one) 1246
- L. Pentylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: bk-MBDP; 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one) 7542
- M. Naphyrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: naphthylpyrovalerone; 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one) 1258
- N. α -pyrrolidinobutiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: α -PBP; 1-phenyl-2-(pyrrolidin-1-yl)butan-1-one) 7546
- O. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1Hindazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-CHMINACA) 7031
- P. N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1Hindazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-PINACA) 7023
- Q. [1-(5-fluoropentyl)-1Hindazol-3-yl](naphthalen-1-yl)methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: THJ-2201) 7024
- R. N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: beta-hydroxythiofentanyl) 9836]
- [S.]A. N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: acetyl fentanyl) 9821
- [T. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1Hindazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MAB-CHMINACA; ADB-CHMINACA) 7032
- U. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-ADB; 5F-MDMB-PINACA) (7034)
- V. methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-AMB) (7033)
- W. N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5F-APINACA, 5F-AKB48) (7049)
- X. N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: ADB-FUBINACA) (7010)
- Y. methyl 2-(1-(cyclohexylmethyl)-1Hindole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MDMB-CHMICA, MMB-CHMINACA) (7042)
- Z. methyl 2-(1-(4-fluorobenzyl)-1Hindazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: MDMB-FUBINACA) (7020)
- AA. N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other names: orthofluorofentanyl, 2-fluorofentanyl) (9816)

- BB.** 2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: methoxyacetyl fentanyl) (9825)
- CC.** methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: FUB-AMB, MMB-FUBINACA, AMB-FUBINACA) (7021)
- DD.** *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: cyclopropyl fentanyl) (9845)]
- EE.** **JB.** *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: valeryl fentanyl) [(9804)]9840
- FF.** *N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-fluorobutyryl fentanyl) (9823)]
- GG.** **JC.** *N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: para-methoxybutyryl fentanyl) (9837)
- HH.** **JD.** *N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters and ethers (Other name: para-chloroisobutyryl fentanyl) (9826)
- II.** **JE.** *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: isobutyryl fentanyl) (9827)
- JJ.** **JE.** *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other name: cyclopentyl fentanyl) (9847)
- KK.** **JG.** Fentanyl-related substances, their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. 9850
- (I) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act 21 U.S.C. 355, that is structurally related to fentanyl by one (1) or more of the following modifications:
- (a) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
- (b) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;
- (c) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;
- (d) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or
- (e) Replacement of the *N*-propionyl group by another acyl group.
- LL.** **JH.** Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: NM2201; CBL2201) (7221)
- MM.** **JI.** *N*-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5F-AB-PINACA) (7025)
- NN.** **JJ.** 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-CN-CUMYLBUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYLBINACA; CUMYL-4CNBINACA; SGT-78) (7089)
- OO.** **JK.** methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MMB-CHMICA, AMB-CHMICA) (7044)
- PP.** **JL.** 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-*b*]pyridine-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5F-CUMYL-P7AICA) (7085)
- QQ.** **JM.** *N*-Ethylpentylone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: ephylone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one) (7543)

<p>N. ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-EDMB-PINACA)</p>	7036	<p>phenyl]methyl]- 5-nitro-1H-benzimidazole-1- ethanamine)</p>	9614
<p>O. methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: 5F-MDMB-PICA)</p>	7041	<p>8. Khat, to include all parts of the plant presently classified botanically as <i>catha edulis</i>, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed, or extracts.</p>	7032
<p>P. N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL))</p>	7047	<p>(B) Schedule II shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the Controlled Substances Code Number set forth opposite it.</p>	
<p>Q. 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial names: 5F-CUMYL-PINACA; SGT-25)</p>	7083	<p>1. Substances, vegetable origin, or chemical synthesis. Unless specifically excepted or unless listed in another schedule, Schedule II shall include any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:</p>	
<p>R. (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone, its optical, positional, and geometric isomers, salts, and salts of isomers (trivial name: FUB-144)</p>	7014	<p>A. Opium and opiate; and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxegol, naloxone, and naltrexone and their respective salts, but including the following:</p>	
<p>S. N-Ethylhexedrone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other name: 2-(ethylamino)-1-phenylhexan-1-one)</p>	7246	<p>(I) Raw opium 9600 (II) Opium extracts 9610 (III) Opium fluid 9620 (IV) Powdered opium 9639 (V) Granulated opium 9640 (VI) Tincture of opium 9630 (VII) Codeine 9050 (VIII) Dihydroetorphine 9334 (IX) Ethylmorphine 9190 (X) Etorphine hydrochloride 9059 (XI) Hydrocodone 9193 (XII) Hydromorphone 9150 (XIII) Metopon 9260 (XIV) Morphine 9300 (XV) Oripavine 9330 (XVI) Oxycodone 9143 (XVII) Oxymorphone 9652 (XVIII) Thebaine 9333</p>	
<p>T. <i>alpha</i>-Pyrrolidinohexanophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: <i>alpha</i>-PHP; <i>alpha</i>-pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one)</p>	7544	<p>B. Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (1)(B)1.A. of this rule shall be included in Schedule II, except that these substances shall not include the isoquinoline alkaloids of opium;</p>	
<p>U. 4-Methyl-<i>alpha</i>-ethylaminopentiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one)</p>	7245	<p>C. Opium poppy and poppy straw 9650</p>	
<p>V. 4'-Methyl-<i>alpha</i>-pyrrolidinohexiophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: MPHP; 4'-methyl-<i>alpha</i>-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one)</p>	7446	<p>D. Coca leaves (9040) and any salt, compound, derivative, or preparation of coca leaves (including cocaine (9041) and ecgonine (9180) and their salts, isomers, derivatives, and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include:</p>	
<p>W. <i>alpha</i>-Pyrrolidinoheptaphenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one)</p>	7548	<p>(I) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or (II) Ioflupane;</p>	
<p>X. 4'-Chloro-<i>alpha</i>-pyrrolidinovalerophenone, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 4-chloro-<i>alpha</i>-PVP; 4'-chloro-<i>alpha</i>-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one)</p>	7443	<p>E. Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrene alkaloids of the opium poppy) 9670</p>	
<p>Y. N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: isotonitazene; N,N-diethyl-2-[[4-(1-methylethoxy</p>		<p>2. Opiates. Unless specifically excepted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan, and levopropoxyphene excepted:</p>	
		<p>A. Alfentanil 9737 B. Alphaprodine 9010</p>	

C. Anileridine	9020	5. Hallucinogenic substances:	
D. Bezitramide	9800	A. Nabilone	7379
E. Bulk Dextropropoxyphene (Non-dosage Forms)	9273	Another name for nabilone: (\pm)trans-3-(1, 1- dimethylheptyl)-6, 6a,7,8,10,10a-hexahydro- 1-hydroxy-6, 6-dimethyl-9H-dibenzo(b,d) pyran-9-one.	
F. Carfentanil	9743	B. Dronabinol [(-)-delta-9- <i>trans</i> tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States Food and Drug Administration.	(7365)
G. Dihydrocodeine	9120	6. Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:	
H. Diphenoxylate	9170	A. Immediate precursor to amphetamine and methampheta- mine:	
I. Fentanyl	9801	(I) Phenylacetone	8501
J. Isomethadone	9226	Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone;	
K. Levo-alphaacetylmethadol	[9220/]	B. Immediate precursors to phencyclidine (PCP):	
Some other names: levo-alphaacetylmethadol, levomethadyl acetate, LAAM	9648	(I) 1-phenylcyclohexylamine	7460
L. Levomethorphan	9210	(II) 1-piperidinocyclohexane carbonitrile (PCC)	8603
M. Levorphanol	9220	C. Immediate precursor to fentanyl:	
N. Metazocine	9240	(I) 4-anilino- <i>N</i> -phenethyl-4- piperidine (ANPP)	8333
O. Methadone	9250	(II) <i>N</i>-phenyl-<i>N</i>-(piperidin -4-yl)propionamide (norfentanyl)	8366
P. Methadone-Intermediate, 4-cyano-2-dimethylamino- 4,4-diphenyl butane	9254	7. Any material, compound, mixture, or preparation which con- tains any quantity of the following alkyl nitrites:	
Q. Moramide-Intermediate, 2- methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid	9802	A. Amyl nitrite;	
R. Pethidine (Meperidine)	9230	B. Butyl nitrite.	
S. Pethidine-Intermediate-A, 4- cyano-1-methyl-4- phenylpiperidine	9232	(C) Schedule III shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.	
T. Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4- carboxylate	9233	1. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:	
U. Pethidine-Intermediate-C, 1- methyl-4-phenylpiperidine- 4-carboxylic acid	9234	A. Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures, or preparations were listed on August 25, 1971, as excepted compounds under <i>[section]</i> 21 CFR 308.32 and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances	1405
V. Phenazocine	9715	B. Benzphetamine	1228
W. Piminodine	9730	C. Chlorphentermine	1645
X. Racemethorphan	9732	D. Clortermine	1647
Y. Racemorphan	9733	E. Phendimetrazine	1615
Z. Remifentanil	9739	2. Depressants. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:	
AA. Sufentanil	9740	A. Any compound, mixture, or preparation containing:/—	
BB. Tapentadol	9780	(I) Amobarbital	2126
CC. Thiafentanil	9729	(II) Secobarbital	2316
3. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:		(III) Pentobarbital	2271
A. Amphetamine, its salts, optical isomers, and salts of its optical isomers	1100	or any salt thereof and one (1) or more other active medicinal ingre- dients which are not listed in any schedule;	
B. Lisdexamfetamine, its salts, isomers, and salts of its isomers	1205	B. Any suppository dosage form containing:/—	
C. Methamphetamine, its salts, isomers, and salts of its isomers	1105	(I) Amobarbital	2126
D. Phenmetrazine and its salts	1631	(II) Secobarbital	2316
E. Methylphenidate	1724	(III) Pentobarbital	2271
4. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:		or any salt of any of these drugs and approved by the Food and Drug	
A. Amobarbital	2125		
B. Glutethimide	2550		
C. Pentobarbital	2270		
D. Phencyclidine	7471		
E. Secobarbital	2315		

Administration for marketing only as a suppository;

C. Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof	2100
D. Chlorhexadol	2510
E. Embutramide	2020
F. Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomer, for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act;	2012
G. Ketamine, its salts, isomer, and salts of isomers (some other names for ketamine: (±)-2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone)	7285
H. Lysergic acid	7300
I. Lysergic acid amide	7310
J. Methyprylon	2575
K. Perampanel, and its salts, isomers, and salts of isomers	2261
L. Sulfondiethylmethane	2600
M. Sulfonethylmethane	2605
N. Sulfonmethane	2610
O. Tiletamine and zolazepam or any salt thereof	7295

Some trade or other names for a tiletaminezolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6-8-dihydro-1,3,8-trimethylpyrazolo-(3,4-e) (1,4)-diazepin-7(1H)-one, flupyrazapon.

3. Nalorphine 9400

4. Narcotics drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than [1.8 grams] one and eight tenths grams (1.8gm) of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium 9803

B. Not more than [1.8 grams] one and eight tenths grams (1.8gm) of codeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9804

C. Not more than [1.8 grams] one and eight tenths grams (1.8gm) of dihydrocodeine per one hundred milliliters (100 mL) or not more than ninety milligrams (90 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9807

D. Not more than three hundred milligrams (300 mg) of ethylmorphine per one hundred milliliters (100 mL) or not more than fifteen milligrams (15 mg) per dosage unit, with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9808

E. Not more than five hundred milligrams (500 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm) or not more than twenty-five milligrams (25 mg) per dosage unit, with one (1) or more active nonnarcotic ingredients in recognized therapeutic amounts 9809

F. Not more than fifty milligrams (50 mg) of morphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm), with one (1) or more active, nonnarcotic ingredients in recognized therapeutic amounts 9810

5. Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth below:

A. Buprenorphine 9064

6. Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation. DEA has assigned code 4000 for all anabolic steroids. Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this [subdivision] paragraph. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any quantity of the following substances, including its salts, esters, and ethers:

- A. 3β,17β-dihydroxy-5α-androstane
- B. 3α,17β-dihydroxy-5α-androstane
- C. 5α-androstan-3,17-dione
- D. 1-androstenediol (3β,17β-dihydroxy-5α-androst-1-ene)
- E. 1-androstenediol (3α,17β-dihydroxy-5α-androst-1-ene)
- F. 4-androstenediol (3β,17β-dihydroxy-androst-4-ene)
- G. 5-androstenediol (3β,17β-dihydroxy-androst-5-ene)
- H. 1-androstenedione ([5α]-androst-1-en-3,17-dione)
- I. 4-androstenedione (androst-4-en-3,17-dione)
- J. 5-androstenedione (androst-5-en-3,17-dione)
- K. Bolasterone (7α,17α-dimethyl-17β-hydroxyandrost-4-en-3-one)
- L. Boldenone (17β-hydroxyandrost-1,4-diene-3-one)
- M. Boldione (androstra-1,4-diene-3,17-dione)
- N. Calusterone (7β,17α-dimethyl-17β-hydroxyandrost-4-en-3-one)
- O. Clostebol (4-chloro-17β-hydroxyandrost-4-en-3-one)
- P. Dehydrochloromethyltestosterone (4-chloro-17β-hydroxy-17α-methyl-androst-1,4-dien-3-one)
- Q. Desoxymethyltestosterone (17α-methyl-5α-androst-2-en-17β-ol) (a.k.a. madol)
[R. Dihydrotestosterone (4-Dihydrotestosterone) (s) 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)]
- R. Δ1-dihydrotestosterone (a.k.a.'1-testosterone') (17β-hydroxy-5α-androst-1-en-3-one)
- S. 4-dihydrotestosterone (17β-hydroxy-androstan-3-one)
[S./T. Drostanolone (17β-hydroxy-2α-methyl-5α-androstan-3-one)
[T./U. Ethylestrenol (17α-ethyl-17β-hydroxyestr-4-ene)
[U./V. Fluoxymesterone (9-fluoro-17α-methyl-11β,17β-dihydroxyandrost-4-en-3-one)
[V./W. Formebolone (Formebolone) (2-formyl-17α-methyl-11α,17β-dihydroxyandrost-1,4-dien-3-one)
[W./X. Furazabol (17α-methyl-17β-hydroxyandrostano[2,3-c]-furazan)
[X./Y. 13β-ethyl-17β-hydroxygon-4-en-3-one
[Y./Z. 4-hydroxytestosterone (4,17β-dihydroxy-androst-4-en-3-one)
[Z./JAA. 4-hydroxy-19-nortestosterone (4,17β-dihydroxy-estr-4-en-3-one)
[AA./BB. Mestanolone (17α-methyl-17β-hydroxy-5α-androstan-3-one)
[BB./CC. Mesterolone (1α-methyl-17β-hydroxy-[5α]-androstan-3-one)
[CC./DD. Methandienone (17α-methyl-17β-hydroxyandrost-1,4-dien-3-one)
[DD./EE. Methandriol (17α-methyl-3β,17β-dihydroxyandrost-5-ene)

/EE./FF. Methasterone (2 α ,17 α -dimethyl-5 α -androstan-17 β -ol-3-one)
/FF./GG. Methenolone (1-methyl-17 β -hydroxy-5 α -androst-1-en-3-one)
/GG./HH. 17 α -methyl-3 β ,17 β -dihydroxy-5 α -androstan-3-one
/HH./II. 17 α -methyl-3 α ,17 β -dihydroxy-5 α -androstan-3-one
/II./JJ. 17 α -methyl-3 β ,17 β -dihydroxyandrost-4-ene
/JJ./KK. 17 α -methyl-4-hydroxynandrolone (17 α -methyl-4-hydroxy-17 β -hydroxyestr-4-en-3-one)
/KK./LL. Methyldienolone (17 α -methyl-17 β -hydroxyestra-4,9(10)-dien-3-one)
/LL./MM. Methyltrienolone (17 α -methyl-17 β -hydroxyestra-4,9,11-trien-3-one)
/MM./NN. Methyltestosterone (17 α -methyl-17-hydroxyandrost-4-en-3-one)
/NN./OO. Mibolerone (7 α ,17 α -dimethyl-17 β -hydroxyestr-4-en-3-one)
/OO./PP. 17 α -methyl- Δ 1-dihydrotestosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one) (a.k.a. 17 α -methyl-1-testosterone)
/PP./QQ. Nandrolone (17 β -hydroxyestr-4-ene-3-one)
/QQ./RR. 19-nor-4-androstenediol (3 β ,17 β -dihydroxyestr-4-ene)
/RR./SS. 19-nor-4-androstenediol (3 α ,17 β -dihydroxyestr-4-ene)
/SS./TT. 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione)
/TT./UU. 19-nor-5-androstenediol (3 β ,17 β -dihydroxyestr-5-ene)
/UU./VV. 19-nor-5-androstenediol (3 α ,17 β -dihydroxyestr-5-ene)
/VV./WW. 19-nor-4-androstenedione (estr-4-en-3,17-dione)
/WW./XX. 19-nor-5-androstenedione (estr-5-en-3,17-dione)
/XX./YY. Norbolethone (13 β ,17 α -diethyl-17 β -hydroxygon-4-en-3-one)
/YY./ZZ. Norclostebol (4-chloro-17 β -hydroxyestr-4-en-3-one)
/ZZ./AAA. Norethandrolone (17 α -ethyl-17 β -hydroxyestr-4-en-3-one)
/AAA./BBB. Normethandrolone (17 α -methyl-17 β -hydroxyestr-4-en-3-one)
/BBB./CCC. Oxandrolone (17 α -methyl-17 β -hydroxy-2-oxa-[5 α]-androstan-3-one)
/CCC./DDD. Oxymesterone (17 α -methyl-4,17 β -dihydroxyandrost-4-en-3-one)
/DDD./EEE. Oxymetholone (17 α -methyl-2-hydroxymethyl-ene-17 β -hydroxy-[5 α]-androstan-3-one)
/EEE./FFF. Prostanazol (17 β -hydroxy-5 α -androstan-3-one-2-c]pyrazole)
/FFF./GGG. Stanolone (Δ 1-dihydrotestosterone (a.k.a. 1-testosterone)(17 β -hydroxy-5 α -androst-1-en-3-one))
/GGG./HHH. Stanozolol (17 α -methyl-17 β -hydroxy-[5 α]-androst-2-eno[3,2-c]-pyrazole)
/HHH./III. Stenbolone (17 β -hydroxy-2-methyl-[5 α]-androst-1-en-3-one)
/III./JJJ. Testolactone(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone)
/JJJ./KKK. Testosterone(17 β -hydroxyandrost-4-en-3-one);
/KKK./LLL. Tetrahydrogestrinone (13 β ,17 α -diethyl-17 β -hydroxygon-4,9,11-trien-3-one)
/LLL./MMM. Trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one)
/MMM./NNN. Any salt, ester, or isomer of a drug or substance described or listed in this subparagraph, if that salt, ester, or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration.

7. Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product 7369

(Some other names for dronabinol: (6aRtrans)- 6a,7,8,10a-tetrahydro-6.6.9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-) -delta-9-(trans)-tetrahydrocannabinol.)

(D) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Each drug or substance has been assigned the DEA Controlled Substances Code Number set forth opposite it.

1. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or any salts thereof:

A. Not more than one milligram (1 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit 9167

B. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9278

C. 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers (including tramadol) 9752

D. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(I) Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

(II) Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm); or

(III) Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm).

2. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

A. Alfaxalone	2731
B. Alprazolam	2882
C. Barbitol	2145
D. Brexanolone	2400
<i>/D./E.</i> Bromazepam	2748
<i>/E./F.</i> Camazepam	2749
<i>/F./G.</i> Carisoprodol	8192
<i>/G./H.</i> Chloral betaine	2460
<i>/H./I.</i> Chloral hydrate	2465
<i>/I./J.</i> Chlordiazepoxide	2744
<i>/J./K.</i> Clobazam	2751
<i>/K./L.</i> Clonazepam	2737
<i>/L./M.</i> Clorazepate	2768
<i>/M./N.</i> Clotiazepam	2752
<i>/N./O.</i> Cloxazolam	2753
<i>/O./P.</i> Delorazepam	2754
<i>/P./Q.</i> Diazepam	2765
<i>/Q./R.</i> Dichloralphenazone	2467
<i>/R./S.</i> Estazolam	2756
<i>/S./T.</i> Ethchlorvynol	2540
<i>/T./U.</i> Ethinamate	2545
<i>/U./V.</i> Ethyl loflazepate	2758
<i>/V./W.</i> Fludiazepam	2759

<i>/W./X.</i> Flunitrazepam	2763
<i>/X./Y.</i> Flurazepam	2767
<i>/Y./Z.</i> Fospropofol	2138
<i>/Z./AA.</i> Halazepam	2762
<i>/AA./BB.</i> Haloxazolam	2771
<i>/BB./CC.</i> Ketazolam	2772
DD. Lemborexant	2245
<i>/CC./EE.</i> Loprazolam	2773
<i>/DD./FF.</i> Lorazepam	2885
<i>/EE./GG.</i> Lormetazepam	2774
<i>/FF./HH.</i> Mebutamate	2800
<i>/GG./II.</i> Medazepam	2836
<i>/HH./JJ.</i> Meprobamate	2820
<i>/II./KK.</i> Methohexital	2264
<i>/JJ./LL.</i> Methylphenobarbital (Mephobarbital)	2250
<i>/KK./MM.</i> Midazolam	2884
<i>/LL./NN.</i> Nimetazepam	2837
<i>/MM./OO.</i> Nitrazepam	2834
<i>/NN./PP.</i> Nordiazepam	2838
<i>/OO./QQ.</i> Oxazepam	2835
<i>/PP./RR.</i> Oxazolam	2839
<i>/QQ./SS.</i> Paraldehyde	2585
<i>/RR./TT.</i> Petrichloral	2591
<i>/SS./UU.</i> Phenobarbital	2285
<i>/TT./VV.</i> Pinazepam	2883
<i>/UU./WW.</i> Prazepam	2764
<i>/VV./XX.</i> Quazepam	2881
<i>/WW./YY.</i> Suvorexant	2223
<i>/XX./ZZ.</i> Temazepam	2925
<i>/YY./AAA.</i> Tetrazepam	2886
<i>/ZZ./BBB.</i> Triazolam	2887
<i>/AAA./CCC.</i> Zaleplon	2781
<i>/BBB./DDD.</i> Zolpidem	2783
<i>/CCC./EEE.</i> Zopiclone	2784

3. Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Fenfluramine 1670

4. Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

A. Lorcaserin 1625

5. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

A. Cathine ((+)-norpseudoephedrine)	1230
B. Diethylpropion	1610
C. Fencamfamin	1760
D. Fenproporex	1575
E. Mazindol	1605
F. Mefenorex	1580
G. Modafinil	1680
H. Pemoline (including organometallic complexes and chelates thereof)	1530
I. Phentermine	1640
J. Pipradrol	1750
K. Sibutramine	1675
L. Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester))	1650

/L./M. SPA (-)-1-dimethylamino-1,2-diphenylethane 1635

6. Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

A. Pentazocine 9709

B. Butorphanol (including its optical isomers) 9720

C. Eluxadoline (5-[[[(2*S*)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl] [(1*S*)-1-(4-phenyl-1*H*-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers 9725

7. Ephedrine. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers, and salts of isomers:

A. Ephedrine or its salts, optical isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, optical isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient.

(E) Schedule V shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this subsection.

1. Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows, which shall include one (1) or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

A. Not more than two hundred milligrams (200 mg) of codeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

B. Not more than one hundred milligrams (100 mg) of dihydrocodeine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

C. Not more than one hundred milligrams (100 mg) of ethylmorphine per one hundred milliliters (100 mL) or per one hundred grams (100 gm);

D. Not more than two and five-tenths milligrams (2.5 mg) of diphenoxylate and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit;

E. Not more than one hundred milligrams (100 mg) of opium per one hundred milliliters (100 mL) or per one hundred grams (100 gm); and

F. Not more than five-tenths milligram (0.5 mg) of difenoxin (DEA Drug Code No. 9168) and not less than twenty-five micrograms (25 mcg) of atropine sulfate per dosage unit.

2. Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers, and salts of isomers:

A. Pyrovalerone 1485

3. Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers if the drug preparations are starch-based solid dose forms, if such preparations are sold over the

counter without a prescription. The following drug preparations containing ephedrine and pseudoephedrine are not scheduled controlled substances:

- A. Drug preparations in liquid form;
- B. Drug preparations that require a prescription in order to be dispensed.

4. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- A. Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester] 2779
- B. Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide] 2746
- C. Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] 2782
- D. Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (also referred to as BRV; UCB-34714; Briviact) 2710
- E. Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide] 2790
- F. Cenobamate ([1(R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate; 2H-tetrazole-2-ethanol, alpha-(2-chlorophenyl)-, carbamate (ester), (alphaR)-; carbamic acid (R)-(+)-1-(2-chlorophenyl)-2-(2H-tetrazol-2-yl)ethyl ester) 2720

[5. Approved cannabidiol drugs.

A. A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than one tenth percent (0.1%) (w/w) residual tetrahydro cannabinoids 7367]

AUTHORITY: sections 195.015 and 195.195, RSMo Supp. [2017] 2020. Material found in this rule previously filed as 19 CSR 30-1.010. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 30, 2020, effective Nov. 16, 2020, expires May 14, 2021. Amended: Filed Oct. 30, 2020.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) 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 Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102 or via email at BNDD@health.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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.026 Separate Registrations. The department is amending subsection (3)(A).

PURPOSE: This amendment changes requirements related to controlled substance registrations for separate locations of emergency medical services vehicles to comply with the *Protecting Patient Access to Emergency Medications Act*, which amended 21 U.S.C. section 823(j), effective November 17, 2017.

(3) Separate Locations. A separate registration is required for each principal place of business or professional practice at one (1) general physical location where controlled substances are manufactured, distributed, or dispensed by a person.

(A) For purposes of registration only, the following locations shall be deemed not to be places where controlled substances are manufactured, distributed, or dispensed:

1. A warehouse where controlled substances are stored by or on behalf of a registered person, unless these substances are distributed directly from the warehouse to registrants other than the registered person or to persons not required to register;

2. An office used by agents of a registrant where sales of controlled substances are solicited, made, or supervised but which neither contains these substances (other than substances for display purposes or lawful distribution as samples only) nor serves as a distribution point for filling sales orders;

3. An office used by a practitioner (who is registered at another location) where controlled substances are prescribed but neither administered nor otherwise dispensed as a regular part of the professional practice of the practitioner at the office and where no supplies of controlled substances are maintained;

4. A location on the immediate or contiguous property of a hospital, provided that the location is owned and operated by the hospital and controlled substances are not dispensed for use away from the location;

5. A separate location from a registered pre-hospital emergency medical service location where an emergency vehicle is housed that does not have a permanent location of operation [and which rotates between locations at least every 30 days for operational reasons other than controlled substance registration]; and

6. A pre-hospital emergency medical service located outside the state of Missouri that renders assistance to a pre-hospital emergency medical service located in the state of Missouri under a mutual aid contract in the case of an emergency, major catastrophe, or other unforeseen event that jeopardizes the ability of the local Missouri pre-hospital emergency medical service to promptly respond.

AUTHORITY: section 195.195, RSMo [1994] Supp. 2020. Original rule filed April 14, 2000, effective Nov. 30, 2000. Amended: Filed Oct. 30, 2020.

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 Michael Boeger, Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102-0570, by faxing 573-526-2569, or via email at BNDD@health.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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.064 Partial Filling of Controlled Substance Prescriptions. The department is amending subsection (2)(E).

PURPOSE: This amendment allows Schedule II drugs to be partially filled for up to sixty (60) days after the date the original prescription was issued.

(2) The partial filling of a prescription for controlled substances listed in Schedules II, III, IV, or V is permissible, provided that:—

(E) No dispensing occurs:—

1. For controlled substances listed in Schedule II, after [thirty (30)] **sixty (60)** days after the date on which the original prescription was issued; **and**

2. For controlled substances listed in Schedules III, IV, and V after six (6) months after the date on which the original prescription was issued.;

AUTHORITY: sections 195.080 and 195.195, RSMo Supp. [2018] 2020. Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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

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 Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102, or via email at BNDD@health.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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 1—Controlled Substances

PROPOSED AMENDMENT

19 CSR 30-1.074 Dispensing Without a Prescription. The department is amending subsections (3)(B), (3)(C), and (3)(L).

PURPOSE: This amendment updates the requirements for the sale, dispensation, or distribution of methamphetamine precursor products to be consistent with section 195.417, RSMo.

(3) Methamphetamine precursor products may be sold, dispensed, distributed, or otherwise provided only as follows:

(B) Dispensers of methamphetamine precursor products shall exercise reasonable care in assuring that the purchaser has not exceeded the three and six-tenths- (3.6-)/-] gram limit per day or the [nine (9)] **seven and two-tenths- (7.2-)** gram limit per thirty- (30-)/-] day period. **Within any twelve- (12-) month period, no person shall sell, dispense, or otherwise provide the same individual, and no**

person shall purchase, receive, or otherwise acquire more than **forty-three and two-tenths- (43.2-)** grams, without regard to the number of transactions;

(C) Dispensers shall utilize the real-time electronic pseudoephedrine tracking system established and maintained by the Missouri Department of Health and Senior Services (DHSS). **No prescription shall be required for the sale or dispensing of these drug products; however, prescribers and patients may voluntarily choose to use a prescription by voluntary choice when deemed appropriate by the prescriber in the course of his or her professional practice;**

(L) Denials of Sales and Dispensings.

1. Except as provided in subsection (D) of this section, if an individual attempts to purchase a methamphetamine precursor product in violation of the three and six-tenths (3.6) gram per day or [nine (9)] **seven and two-tenths (7.2)** gram per month quantity restrictions or age restriction established by sections 195.017 and 195.417, RSMo, the dispenser shall refuse to make the sale. The purchaser must be at least eighteen (18) years of age.

2. Sales of methamphetamine precursor products shall be denied to purchasers who are not able to produce a valid government issued identification card with the required information displayed on it.

3. In the event that the dispenser perceives that refusal of the purchase may place him or her in imminent physical harm, then the dispenser may use the database safety override function to proceed with the transaction, provided that—

A. When jeopardy is no longer perceived, the dispenser shall immediately contact local law enforcement to report the purchase; and

B. The dispenser shall document in their manual log, the circumstance, the individual contacted at the local law enforcement agency, and the date and time of that contact;

AUTHORITY: section[s] 195.017 [and 195.417, RSMo Supp. 2010], RSMo Supp. 2020, and sections 195.030, 195.050, [and] 195.195, **and 195.417, RSMo [2000] 2016.** Original rule filed April 14, 2000, effective Nov. 30, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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

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 Michael Boeger, Missouri Department of Health and Senior Services, Bureau of Narcotics and Dangerous Drugs, PO Box 570, Jefferson City, MO 65102 or via email at BNDD@health.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 2010—Missouri State Board of Accountancy
Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2010-2.041 Eligibility Requirements for the CPA Examination. The board is amending sections (1) and (2), deleting sections (3), (4), (5), and (6), adding new sections (3), (4), and (5), and renumbering as necessary.

PURPOSE: This rule is being amended to implement the provisions of House Bill 2046 which became effective August 28, 2020.

(1) The applicant must comply with section [326.280.1(1), (2) and (3)] 326.277, RSMo [and either—].

[(A) If he or she applied for the initial examination prior to June 30, 1999, hold a baccalaureate or higher degree conferred by an accredited college or university recognized by the board with a concentration or major in accounting or substantially the equivalent of a concentration in accounting as described in subsection (2)(A) or (B) of this rule; or

(B) If he or she applied for the initial examination on or after June 30, 1999, have at least one hundred fifty (150) semester hours of college education including a baccalaureate or higher degree conferred by an accredited college or university recognized by the board with a concentration or major in accounting or substantially the equivalent of a concentration in accounting as described in subsection (2)(C) of this rule.]

(2) The equivalent of a concentration in accounting shall be determined in the following manner:

[(A) For candidates who sat for the examination for the first time prior to May 1996, thirty-six (36) semester hours or fifty-four (54) quarter hours of accounting and other related courses are required. At least eighteen (18) semester hours or twenty-seven (27) quarter hours shall be accounting courses with at least one (1) course in auditing. The remaining eighteen (18) semester hours or twenty-seven (27) quarter hours shall be in accounting or other areas of business administration such as business law, tax, statistics, economics, finance, marketing, management, information technology and business communications. These courses shall be taken at an accredited college or university recognized by the board.

(B) For candidates who sat for the examination for the first time during or after May 1996, and whose initial applications for the examination were postmarked prior to June 30, 1999, the requirements in subsection (2)(A) shall continue in effect except that principles of accounting (or introductory accounting) courses will not be credited toward the required number of hours of accounting courses, but may be credited toward the other related courses.]

[(C)](A) For candidates whose applications for the initial examination [were postmarked on or after June 30, 1999] are or were received prior to June 30, 2021, the concentration or major in accounting, or the equivalent of a concentration in accounting shall be sixty (60) semester hours [or ninety (90) quarter hours] of accounting and other related courses. At least thirty-three (33) semester hours [or fifty (50) quarter hours] shall be accounting courses with at least one (1) course in auditing and at least eighteen (18) semester hours [or twenty-seven (27) quarter hours] of accounting courses taken at the upper division level. For the purposes of this rule “upper division level” courses shall mean courses taken beyond the elementary level. The remaining twenty-seven (27) semester hours [or forty (40) quarter hours] shall be in accounting or other areas of business administration such as business law, statistics, economics, finance, marketing, management, information technology and business communications. These courses shall be taken at an accredited college or university recognized by the board.

(B) For candidates whose applications for initial examination are received on or after June 30, 2021, the concentration in accounting shall include a total of at least forty-eight (48) semester hours, including a minimum of twenty-four (24) semester hours of accounting and twenty-four (24) semester hours of business courses. These courses shall be taken at an accredited college or university recognized by the board.

1. Examples of accounting courses include:

- A. Accounting information systems;
- B. Accounting research and analysis;
- C. Attestation engagements;
- D. Data analytics, data interrogation techniques, and/or digital acumen in an accounting context, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs;
- E. Ethics (accounting course);
- F. Financial accounting and reporting for business organizations;
- G. Financial accounting and reporting for government and not-for-profit entities;
- H. Financial statement analysis;
- I. Financial statement auditing;
- J. Formal independent study;
- K. Formal internships;
- L. Fraud examination;
- M. Internal controls and risk assessment;
- N. Managerial or cost accounting;
- O. Mergers and acquisitions;
- P. Tax and financial planning;
- Q. Taxation;
- R. Tax Research and analysis; or
- S. Other accounting-related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.

2. Examples of business courses include:

- A. Business communications;
- B. Business law;
- C. Data analytics, data interrogation techniques, and/or digital acumen, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs;
- D. Economics;
- E. Ethics (business course);
- F. Finance;
- G. Formal independent study;
- H. Formal internships;
- I. Information systems or technology;
- J. Management;
- K. Marketing;
- L. Quantitative methods;
- M. Statistics; or
- N. Other business-related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.

[(3) An applicant for the examination whose initial application to Missouri is postmarked on or after June 30, 1999, who meets the qualifications in section 326.280.1(1), (2), and (3), RSMo—

(A) Who sat for the examination in another jurisdiction prior to June 30, 1999, or whose original application for the examination was postmarked to the other jurisdiction prior to June 30, 1999, if he or she meets the standard in subsections (1)(A) and (2)(A) or (B) of this rule, then examination credit will be granted in accordance with the provisions of section 326.280, RSMo, and rule 20 CSR 2010-2.140 just as though the candidate had been approved and had sat in Missouri and he or she will be approved to sit as a Missouri candidate; or

(B) Whose original application for the examination was postmarked to another jurisdiction on or after June 30, 1999, or, if the postmark date is not available, who first sat for the examination in the other jurisdiction after June 30, 1999, if he or she meets the standard in subsections (1)(B) and (2)(C) of this rule, then examination credit will be granted in accordance with the provisions of section 326.280,

RSMo, and rule 20 CSR 2010-2.140 just as though the candidate had been approved and had sat in Missouri and he or she will be approved to sit as a Missouri candidate.

(4) Once an applicant has qualified under sections (1) and (2) of this rule and been approved by the board as a Missouri candidate for the examination, and as long as he or she continues to meet the requirement of subsection 326.280.1(3), RSMo and has not committed an act or acts which would be cause to deny an application under section 326.310, RSMo, he or she will be considered qualified for subsequent examinations.

(5) An applicant who satisfies the requirements of section 326.280.1(1), (2) and (3), RSMo shall be eligible to take the examination if the applicant reasonably expects to satisfy the educational requirements of this rule within sixty (60) days after the examination. No license shall be issued or credit for the examination issued unless the educational requirements are, in fact, met within the sixty (60)-day period.

(6) Any university or college accredited by the Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools or Western Association of Schools and Colleges is recognized by the board and will satisfy the requirements of section 326.280.1, RSMo and this rule. The board may recognize as accredited, any university or college accepted by two (2) or more states for the purpose of allowing a candidate to sit for the certified public accountant examination.]

(3) Any United States universities or colleges accredited by one (1) of the following six (6) regional accreditors are recognized by the board to satisfy the accreditation requirement of section 326.277.2, RSMo:

- (A) Higher Learning Commission;
- (B) Middle States Commission on Higher Education;
- (C) New England Commission on Higher Education;
- (D) Northwest Commission on Colleges and Universities;
- (E) Southern Association of Colleges and Schools Commission on Colleges; or
- (F) WASC Senior College and University Commission.

(4) The board may also recognize specialized accreditations which meet or exceed the accreditation standards of the Association to Advance Collegiate Schools of Business-International (AACSB) or Association of Collegiate Business Schools and Programs (ACBSP).

(A) Applicants presenting transcripts from regionally accredited institutions that have AACSB or ACBSP business and supplemental accounting accreditation with at least twenty-four (24) semester credit hours in accounting and at least twenty-four (24) semester credit hours in business will be deemed to meet the requirements of paragraphs (2)(B)1. and 2. of this rule.

(B) Applicants presenting transcripts from regionally accredited institutions that only have AACSB or ACBSP business accreditation with at least twenty-four (24) semester credit hours in business will be deemed to meet the requirements of paragraph (2)(B)2. of this rule and shall demonstrate they have twenty-four (24) semester credit hours in accounting by providing documentation as the board may specify, including examples of courses in paragraph (2)(B)1. of this rule.

(C) Applicants presenting transcripts from regionally accredited institutions that do not have AACSB or ACBSP accreditation

shall demonstrate the applicant has at least twenty-four (24) semester credit hours in accounting and at least twenty-four (24) semester credit hours in business by providing documentation as the board may specify, including examples of courses in paragraphs (2)(B)1. and 2. of this rule.

(5) Quarter credit hours may be converted to semester credit hours by multiplying quarter credit hours by two-thirds. For example, thirty-six (36) quarter hours are equal to twenty-four (24) semester credit hours.

[(7)](6) The board[, or its designee,] may in its discretion allow any applicant to take the examination; however, approval to take the exam shall not create any presumption that the applicant is fit for licensure nor otherwise prohibit the board from exercising its discretion in considering an application for licensure as set forth in section 326.310, RSMo.

[(8)](7) The provisions of this rule are declared severable. If any provision of this rule is held invalid by a court of competent jurisdiction, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction to be invalid.

AUTHORITY: section[s] 326.262, RSMo 2016, and sections 326.277, 326.280.1., and 326.310, RSMo Supp. [2009] 2020. This rule originally filed as 4 CSR 10-2.041. Original rule filed Sept. 13, 1978, effective Jan. 13, 1979. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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 Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@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 2010—Missouri State Board of Accountancy
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2010-2.061 Requirements for an Initial License to Practice. The board is amending the purpose, section (1), adding sections (2) and (3), and renumbering as necessary.

PURPOSE: This rule is being amended to implement the provisions of House Bill 2046 which became effective August 28, 2020.

PURPOSE: This rule sets forth the type of education and work experience that is required for a certified public accountant to obtain or receive an initial license to practice in Missouri.

(1) **Prior to June 30, 2021,** [A]/applicants for initial licensure shall meet the education requirements outlined in 20 CSR 2010-2.041 and successfully complete the examination requirements as outlined in 20 CSR 2010-2.150. [Commencing on January 1, 2012, if the

time elapsed since the applicant has successfully completed the examination requirement exceeds five (5) years, the applicant must complete forty (40) hours of continuing professional education (CPE), including two (2) hours in the area of ethics and—

(A) That person submits evidence to the board that he or she has completed forty (40) hours of CPE during the twelve (12) months prior to making application for licensure; or

(B) That person agrees to obtain the required forty (40) hours of CPE within sixty (60) days of applying for licensure.]

(2) On and after June 30, 2021, applicants for initial licensure shall demonstrate completion of at least one hundred fifty (150) semester credit hours of college education and earned a baccalaureate degree and/or graduate degree from an accredited college or university approved by the board. The one hundred fifty (150) semester credit hours shall include the one hundred twenty (120) hours required by section 327.277, RSMo, and rule 20 CSR 2010-2.041. Additionally, of the remaining thirty (30) hours required for licensure, an applicant must complete a minimum additional twelve (12) semester credit hours in accounting and business, with six (6) semester credit hours in accounting and six (6) semester credit hours in business in undergraduate and/or graduate level courses.

(A) Of the at least one hundred fifty (150) semester credit hours completed, a maximum of nine (9) semester credit hours may be from formal, supervised internships or independent study in the areas of accounting or business in undergraduate and/or graduate level courses.

(3) If the time elapsed since the applicant has successfully completed the examination requirement exceeds five (5) years prior to application for initial licensure, the applicant must complete forty (40) hours of continuing professional education (CPE), including two (2) hours in the area of ethics during the twelve (12) months prior to making application for licensure. The applicant shall provide documentation of CPE to the board as the board may request.

[(2)](4) The board shall require as a condition for licensure, the verification of experience as provided for by section 326.280.1(6), RSMo. A licensee from this or another state shall verify on a form provided by the board—

(A) The applicant has one (1) year of accounting experience consisting of full-time employment that is no less than one (1) year and no fewer than two thousand (2,000) hours or in the case of part-time employment, experience that extends over a period of no less than one (1) year and no more than three (3) years and includes no fewer than two thousand (2,000) hours of performance of services as described in 326.280.1(6), RSMo; and

(B) The applicant has acceptable experience, which may include employment in industry, government, academia, or public practice. The board may look at such factors as the complexity and diversity of the work as set forth in the experience verification section of the initial application form.

[(3)](5) In accordance with 326.289.4(3), RSMo, any individual licensee who was initially licensed on or after August 28, 2001, and who is responsible for supervising attest services or signs or authorizes someone to sign attestation reports on behalf of a firm, shall have an additional year of experience, which includes attest services, consisting of full-time employment that is no less than one (1) year and no fewer than two thousand (2,000) hours or in the case of part-time employment, experience that extends over a period of no less than one (1) year and no more than three (3) years and includes no fewer than two thousand (2,000) hours of performance of services. The experience shall be under the supervision of a licensee from this

or another state. The experience shall consist of either—

(A) Practicing public accounting in a certified public accounting firm; or

(B) Practicing as an auditor, employed by a local, state, or federal government entity, devoted principally to the comprehensive application of generally accepted accounting principles or generally accepted government auditing standards to diversified field examinations.

[(4)](6) In accordance with 326.289.4(4), RSMo, any licensee who was initially licensed on or after August 28, 2001, and who is responsible for supervising or signs or authorizes someone to sign review reports shall have a year of experience consisting of full-time employment that is no less than one (1) year and no fewer than two thousand (2,000) hours or in the case of part-time employment, experience that extends over a period of no less than one (1) year and no more than three (3) years and includes no fewer than two thousand (2,000) hours of performance of services as described in section 326.280.1(6), RSMo. Acceptable experience shall include employment in industry, government, academia, or public practice.

[(5)](7) Any licensee who has direct access and knowledge of an applicant's experience and who has been requested by an applicant to submit to the board evidence of the applicant's experience and has refused to do so shall, upon request by the board, explain the basis for such refusal in a written submission. The board may require any licensee who has verified the applicant's experience to substantiate the information in a written submission. Any applicant may be required to appear before the board to supplement or verify evidence of experience. The board may inspect applicant-provided documentation relating to the applicant's claimed experience.

[(6)](8) Satisfactory completion of a written examination in professional ethics acceptable to the board shall be required for issuance of a Missouri license as a certified public accountant (CPA).

(A) Verification that the applicant has received a score of ninety percent (90%) on the examination of the correspondence course on professional ethics for CPAs of the American Institute of Certified Public Accountants shall satisfy this requirement.

(B) Applicants applying for a license as a CPA under section 326.280, RSMo, can satisfy this requirement by submitting verification that they have passed a written examination on professional ethics approved by the Missouri State Board of Accountancy where they hold a valid license.

[(7)](9) The provisions of this rule are declared severable. If any provision of this rule is held invalid by a court of competent jurisdiction, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction to be invalid.

AUTHORITY: section[s] 326.262, RSMo 2016, and sections 326.277 and 326.280, RSMo Supp. [2012] 2020. This rule originally filed as 4 CSR 10-2.061. Original rule filed Sept. 13, 1978, effective Jan. 13, 1979. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2020.

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 Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@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 2010—Missouri State Board of Accountancy
Chapter 4—Continuing Education Requirements**

PROPOSED AMENDMENT

20 CSR 2010-4.020 Qualifying Programs. The board is amending section (1).

PURPOSE: This rule is being amended to reflect the current edition of the *Statement on Standards for Continuing Professional Education (CPE) Programs*.

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

(1) Programs Qualifying for Continuing Professional Education (CPE) Credit.

(B) The Statement on Standards for Continuing Professional Education (CPE) Programs, revised [August 2016] **December 2019** and effective [September 1, 2016] **December 31, 2019**, published by the NASBA and AICPA are incorporated in this rule by reference. A copy of the Statement on Standards for Continuing Professional Education (CPE) Programs may be obtained online at www.nasbaregistry.org, or by contacting NASBA, 150 Fourth Avenue N., Suite 700, Nashville, TN, 37219 or AICPA, 1211 Avenue of the Americas, New York, NY 10036. This rule does not incorporate any later amendments or additions to the standards.

(C) Subject Areas. The board will accept programs meeting the standards set forth in the Statement on Standards for Continuing Professional Education (CPE) Programs ([September 1, 2016] **December 31, 2019**) and as set forth in this rule. The board will accept the following sources of CPE as defined in the Statement on Standards:

1. Group programs;
2. Self-study programs;
3. Blended learning programs;
4. Nano-learning programs;
5. Instructor/developer of CPE programs;
6. Technical reviewer of CPE programs or work on technical committees;
7. Independent study **through a CPE program**;
8. College or university courses in accounting or accounting-related field of study; except basic or introductory accounting courses or CPA exam preparation/review courses; and
9. Authorship of published articles, books, and other publications relevant to maintaining or improving professional competence. Authorship hours claimed for CPE shall not exceed two (2) hours in any calendar year.

AUTHORITY: section 326.271, RSMo 2016, and section 326.277, RSMo Supp. 2020. This rule originally filed as 4 CSR 10-4.020. Original rule filed Nov. 5, 1984, effective Feb. 11, 1985. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Oct. 30, 2020.

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

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@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 2010—Missouri State Board of Accountancy
Chapter 4—Continuing Education Requirements**

PROPOSED AMENDMENT

20 CSR 2010-4.031 Continuing Professional Education (CPE) Documentation. The board is amending section (1).

PURPOSE: This amendment clarifies acceptable documentation for qualifying CPE.

(1) Continuing Professional Education (CPE) Records.

(B) Acceptable documentation [requirements are set forth in the *Statement on Standards for Continuing Professional Education (CPE) Programs* in rule 20 CSR 2010-4.020].

1. Licensees shall demonstrate compliance in meeting their CPE requirements by maintaining and providing certificates of completion from the American Institute of Certified Public Accountants (AICPA), a state society of CPAs, or a registered National Association of State Boards of Accountancy (NASBA) CPE Program Sponsor. Program Sponsors may be verified at the NASBA website: <https://nasba.org>.

2. Licensees seeking credit for CPE from any non-registered NASBA program, other than the AICPA or a state society of CPAs, shall maintain and provide the following documentation:

- A. Program materials;
- B. Agenda with dates, times, and locations;
- C. Sign-in sheets/records of attendance;
- D. Number of CPE credits earned by participants;
- E. Name, contact information, and qualifications of the developer;
- F. Name, contact information, and qualifications of the reviewer;
- G. Results of program evaluations; and
- H. Other information or documentation as the board may request.

(C) Responsibility for documenting the acceptability of the program and the validity of the credits rests with the applicant or license holder who [should] shall retain such documentation for a [period] minimum of five (5) calendar years from the end of the year in which the learning activities were completed.

(D) The board may verify the CPE reported by applicants for licensure and licensees. Licensees who do not provide the board with either a completed certificate from the AICPA, a state society of CPAs, or a registered NASBA CPE program sponsor, or the documentation required for a non-registered NASBA program, will not receive CPE credit. In cases where the board determines that the requirement is not met, the board may grant an additional period of time in which the deficiencies may be cured.

AUTHORITY: section 326.271, RSMo 2016, and section 326.310,

RSMo Supp. [2019] 2020. This rule originally filed as 4 CSR 10-4.031. Original rule filed April 5, 2004, effective July 30, 2004. Moved to 20 CSR 2010-4.031, effective Aug. 28, 2006. Amended: Filed Feb. 23, 2010, effective Aug. 30, 2010. Amended: Filed May 20, 2019, effective Dec. 30, 2019. Amended: Filed Oct. 30, 2020.

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 Board of Accountancy, PO Box 613, Jefferson City, MO 65102, by facsimile at 573-751-0012, or via email at mosba@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 2063—Behavior Analyst Advisory Board
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2063-2.010 Renewal of License, Inactive License, and Reactivation of License. The board is amending section (1) and paragraphs (2)(A)1 and (3)(A)1.

PURPOSE: This amendment adds information regarding the collection of workforce data.

(1) Renewal of License.

(A) The required renewal information, renewal fee, and information related to the behavior analyst or assistant behavior analyst's practice and demographics for the purpose of collecting workforce data shall be submitted prior to the expiration date of the license.

[(A)](B) Failure of a licensee to receive the notice [and application] to renew the license shall not excuse the licensee from the requirement of section 337.320, RSMo, to renew the license.

[(B)](C) Any licensee who fails to renew the license within the sixty- (60-)[-] day period set forth in section 337.320.3., RSMo, shall not perform any act for which a license is required.

[(C)](D) Any licensed behavior analyst who fails to renew his/her license by October 31 of each odd-numbered year or any assistant behavior analyst who fails to renew his/her license by November 30 of each odd-numbered year and, within two (2) years of the registration renewal date, wishes to restore his/her license, shall—

1. Submit a completed application;
2. Pay the renewal fee and delinquent fee; and
3. Submit proof of active certification and fulfillment of all requirements for renewal and recertification with the certifying entity as defined pursuant to 20 CSR 2063-1.010.

(2) Inactive License.

(A) Licensees who request to be classified as inactive pursuant to section 337.320.7., RSMo, shall—

1. Submit a completed application on a form provided by the [committee] board; and
2. Pay the inactive renewal fee as provided in 20 CSR 2063-1.015.

(3) Reactivation of License.

(A) Individuals who request to reactivate the inactive license shall—

1. Submit a complete application on a form provided by the [committee] board;
2. Pay the reactivation fee as provided in 20 CSR 2063-1.015; and
3. Submit proof of current certification from a certifying body as established in 20 CSR 2063-1.010.

AUTHORITY: sections 324.001, 337.030, and 337.320, RSMo Supp. [2010] 2020. Original rule filed Nov. 30, 2010, effective May 30, 2011. Amended: Filed Oct. 27, 2020.

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

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2165—Board of Examiners for
Hearing Instrument Specialists
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2165-1.010 General Organization. The board is amending sections (1), (3), (4), and (5), deleting section (6), renumbering as necessary and amending newly renumbered section (7).

PURPOSE: This amendment removes outdated and duplicative requirements.

(1) The purpose of the board is to regulate the practice of fitting hearing instruments involving public health, safety, and welfare of this state; to protect the inhabitants of this state from harm due to dangerous, dishonest, incompetent, or unlawful practice of fitting hearing instruments [and to implement and sustain a system of examination and regulation of hearing instrument specialists in training and licensed hearing instrument specialists in this state].

(3) Each year the board shall elect a chairperson and vice-chairperson. It shall be the chairperson's duty to preside at all meetings and if the chairperson is unable to attend any meeting, the vice-chairperson [shall] will preside. The chairperson exercises general supervision of the affairs of the board and works with the division on coordinating board affairs.

(4) The director of the Division of Professional Registration or a designated representative [shall be] is responsible for keeping the minutes of board proceedings and will perform other duties as requested by the board.

(5) All meetings shall be posted according to section 610.020, RSMo, and information may be obtained by contacting the office at, P.L./O/. J Box 1335, Jefferson City, MO 65102-1335/. The telephone number is], behis@pr.mo.gov, (573) 751-0240, or with the

TDD number (800) 735-2966.

[(6)] Board meetings will generally consist of reviewing applications, interviewing applicants, investigating complaints and inquiries, determining disciplinary action regarding a licensed hearing instrument specialist or hearing instrument specialist in training, making recommendations to the division concerning the conduct and management of board affairs and any other board matters.

(A) Annually, the board may review the administrative rules.

(B) Each member of the board shall receive as compensation, an amount not to exceed fifty dollars (\$50) for each day devoted to the affairs of the board.]

[(7)](6) Unless otherwise provided by the statutes or regulations, all meetings of the board will be conducted according to Robert's Rules of Order.

[(8)](7) Members of the public may [obtain information or make a submission to the division or board] request a meeting before the board by writing to P[.JO.] Box 1335, Jefferson City, MO 65102-1335 or emailing the request to behis@pr.mo.gov. [The telephone number is (573) 751-0240 with the TDD number (800) 735-2966.]

AUTHORITY: section [346.115.1(7)] 346.125, RSMo [Supp. 1996] 2016. This rule originally filed as 4 CSR 165-1.010. Emergency rule filed March 18, 1996, effective March 28, 1996, expired Sept. 23, 1996. Original rule filed Oct. 16, 1996, effective May 30, 1997. Moved to 20 CSR 2165-1.010, effective Aug. 28, 2006. Amended: Filed Oct. 26, 2020.

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 Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@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 AMENDMENT

20 CSR 2220-2.120 Transfer of Prescription or Medication Order Information. The Board of Pharmacy is amending section (5).

PURPOSE: This amendment would grant board licensees additional time to fulfill prescription transfer requests received from parties/entities other than the patient, provided the transfer is completed in timely manner and a pharmacist ensures no interruption in patient therapy will occur.

(5) [A pharmacy receiving a transfer request from a patient or another pharmacy must complete the transfer within one

(1) business day of receiving the request.] A prescription or medication order must be transferred within one (1) business day of receiving a transfer request from a patient. All other transfer requests must be completed in a timely manner, provided licensees/permit holders shall ensure no interruption in patient therapy.

AUTHORITY: sections 338.100 and 338.280, RSMo 2016, and section 338.140, RSMo Supp. [2019] 2020. This rule originally filed as 4 CSR 220-2.120. Original rule filed April 16, 1985, effective Aug. 11, 1985. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 29, 2020.

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 Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this amendment in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220—State Board of Pharmacy
Chapter 5—Drug Distributor**

PROPOSED AMENDMENT

20 CSR 2220-5.020 Drug Distributor Licensing Requirements. The Board of Pharmacy is amending subsection (1)(B).

PURPOSE: This amendment would waive Missouri drug distributor licensure requirements for entities shipping drugs or vaccines to treat or immunize patients during a state or federally declared disaster or emergency, or pursuant to an emergency use authorization issued by the United States Food and Drug Administration for a public health emergency.

(1) A “wholesale drug distributor” is defined in section 338.330(3), RSMo. No wholesale drug distributor with physical facilities located in the state of Missouri shall knowingly purchase or receive legend drugs and/or drug related devices from a wholesale drug distributor or pharmacy not licensed or registered by the board. Knowledge of the licensure status of a drug distributor or pharmacy includes, but is not limited to, actual or constructive knowledge. Knowledge of the license status of a drug distributor or pharmacy shall also include, but not be limited to, notification from the board by mail or electronic transmission.

(B) Licensure and/or registration as a wholesale drug distributor is not required for activities described below—

1. The sale, purchase, transfer, or trade of a drug or an offer to sell, purchase, transfer, or trade a drug for emergency administration to an individual patient if a delay in therapy would negatively affect a patient outcome. The amount sold, purchased, transferred, or traded shall not exceed five percent (5%) of the pharmacy's total gross prescription sales or, if prescriptions are not sold, five percent (5%) of the pharmacy's total drug purchases;

2. The sale, purchase, or trade of blood and blood components intended for transfusion and any other exemptions as provided for in

Chapter 338, RSMo;

3. The sale, purchase, transfer, or trade of a drug or an offer to sell, purchase, or trade a drug by a Missouri licensed pharmacy that does not exceed five percent (5%) of the pharmacy's total gross sales. For purposes of this section, total gross sales shall be calculated based on the pharmacy's total annual prescription drug sales or, if prescriptions are not sold, five percent (5%) of the pharmacy's total drug purchases;

4. The sale, purchase, transfer, or trade of a drug or offer to sell, purchase, transfer, or trade a drug among hospitals or by a hospital to a healthcare entity under the same common control or ownership as the hospital. "Common control or ownership" means the power to direct or cause the direction of the management and policies of a person or an organization whether by ownership, stock, voting rights, contract, or otherwise. For purposes of this rule, a "hospital" shall be limited to a hospital as defined by Chapter 197, RSMo, or a hospital operated by the state;

5. The storage or distribution of drugs by a local, state, or federal facility that are received from the Strategic National Stockpile or the state stockpile for the purpose of providing those drugs in an emergency situation as authorized by a state or federal agency;

6. The sale, purchase, or transfer of a drug or vaccine received from or on behalf of a federal, state, or municipal entity for the purpose of treating or immunizing patients during a state or federally declared disaster or emergency;

7. The sale, purchase, or transfer of a drug or vaccine subject to an emergency use authorization issued by the United States Food and Drug Administration for a public health emergency;

[6.]8. The sale, purchase, transfer, or trade of a prescription drug to alleviate a temporary shortage of a prescription drug that is in limited supply or unavailable due to delays in or interruption of supply. Drugs sold, purchased, transferred, or traded pursuant to this section shall only be sold, purchased, transferred, or traded directly from an importer or manufacturer authorized by or registered with the United States Food and Drug Administration (FDA) to import or manufacture the drug that is unavailable or in short supply. In addition, sales, purchases, transfers, or trades shall be limited to the period of shortage and to the drug that is unavailable or in limited supply. Documentation of FDA authorization or registration shall be maintained in the licensee's or recipient's records; and

[7.]9. The sale, purchase, transfer, or trade of a drug between a Missouri licensed pharmacy and a non-resident pharmacy that is located in and licensed by another state or United States territory. The total amount of drug sold, purchased, transferred, or traded by the Missouri-licensed pharmacy pursuant to this subsection shall not exceed five percent (5%) of the pharmacy's total annual prescription drug sales. Missouri pharmacies receiving drugs pursuant to this section from a non-resident pharmacy shall maintain the following records for two (2) years from the date of sale, purchase, transfer, or trade:

A. Proof the non-resident pharmacy holds a current pharmacy license in the state or territory from which the drug is shipped or distributed; and

B. An invoice record which documents the name and address of the non-resident pharmacy, the date of sale, purchase, transfer, or trade, and the name, strength, and quantity of the drug received. The pharmacies shall also comply with all applicable controlled substance requirements.

AUTHORITY: sections [338.340] 338.335 and 338.350, RSMo [2000] 2016, and sections 338.140.1, 338.315, 338.330, 338.333, [338.335, and] 338.337, and 338.340, RSMo Supp. [2014] 2020. This rule originally filed as 4 CSR 220-5.020. Original rule filed Feb. 4, 1991, effective June 10, 1991. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 29, 2020, effective Nov. 13, 2020, expires May 11, 2021. Amended: Filed Oct. 29, 2020.

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 Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this amendment in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2235-1.050 Renewal of License. The committee is adding new section (1), renumbering as necessary, and amending newly renumbered sections (2) and (4).

PURPOSE: This amendment mandates the collection of workforce data and establishes the obligation of licensees to provide the requested information in order to renew their licenses. The rule is also amended to the assessing of a delinquency fee for each year the license is delinquent.

(1) The required renewal information, renewal fee, and information related to the psychologist's practice and demographics for the purpose of collecting psychology workforce data shall be submitted prior to the expiration date of the license.

[(1)](2) Failure of a licensee to receive the notice [and application] to renew the license shall not excuse the licensee from the requirement of section 337.030, RSMo to renew the license.

[(2)](3) Any licensee who fails to renew the license within the sixty-(60)-[] day period set forth in section 337.030.2., RSMo shall not perform any act for which a license is required.

[(3)](4) Any licensee who fails to renew his/her license by January 31 of each even-numbered year and, within two (2) years of the registration renewal date, wishes to restore his/her license, shall pay the delinquency fee [for each year the license is delinquent] in addition to the renewal fee.

[(4)](5) Licensees who request to be classified as inactive pursuant to section 337.030.5, RSMo, may maintain their inactive status and receive a license indicating their inactive status by paying the inactive license renewal fee as provided in 20 CSR 2235-1.020. Holders of an inactive license need not complete the continuing education requirement. However, a holder of an inactive license shall not have his/her license reactivated until he/she pays the required reactivation fee, and in addition, submits proof of having completed forty (40) continuing education hours within the two (2) years immediately prior to the date of reactivation. If a holder of an inactive license reactivates at the time of renewal, the licensee shall only be required to pay the renewal fee, and in addition, submit proof of having completed forty (40) continuing education hours within the two (2) years immediately prior to the date of reactivation.

AUTHORITY: sections 324.001, 337.030, [RSMo Supp. 2006] and 337.050, RSMo [2000] Supp. 2020. This rule originally filed as 4 CSR 235-1.050. Original rule filed Aug. 11, 1983, effective Dec. 11, 1983. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 27, 2020.

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

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2263-1.035 Fees. The committee is amending section (1).

PURPOSE: This committee is adding a verification of licensure fee.

(1) The following fees are established by the committee and are payable in the form of a cashier's check, personal check, or money order:

(K) Verification of Licensure **\$ 20.00**

AUTHORITY: sections 337.612 and 337.627, RSMo Supp. [2019] 2020. This rule originally filed as 4 CSR 263-1.035. Original rule filed Jan. 20, 1999, effective July 30, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 2, 2020.

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

PRIVATE COST: This proposed amendment will cost private entities from five thousand two hundred dollars (\$5,200) to ten thousand four hundred dollars (\$10,400) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102, by fax at (573) 526-3489, or via email at lcsww@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.

PRIVATE FISCAL NOTE

I. RULE NUMBER

**Title 20 - Department of Commerce and Insurance
Division 2263 - State Committee for Social Workers
Chapter 1 - Fees
Proposed Amendment to 20 CSR 2263-1.035 - Fees**

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
260 to 520	Verification (Fee @ \$20)	\$ 5,200 to \$ 10,400
	Estimated Annual Costs for the Life of the Rule	\$ 5,200 to \$ 10,400

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on inquiries the board has received in the past regarding the need for verification. The board receives on average 5 to 10 requests weekly.
2. It is anticipated that the total fiscal costs will occur beginning in FY21, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

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

PROPOSED AMENDMENT

22 CSR 10-2.046 PPO 750 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; *[and]*
- (E) Sterilization procedure for men $[\cdot]$; **and**
- (F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

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

PROPOSED AMENDMENT

22 CSR 10-2.047 PPO 1250 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; *[and]*
- (E) Sterilization procedure for men $[\cdot]$; **and**
- (F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amend-

ment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

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

PROPOSED AMENDMENT

22 CSR 10-2.053 Health Savings Account Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (3), adding section (10), and renumbering as necessary.

PURPOSE: This amendment revises the out-of-pocket maximum for individual family members and adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(3) Out-of-pocket maximum.

(A) The family out-of-pocket maximum applies when two (2) or more family members are covered. The family out-of-pocket maximum must be met before the plan begins to pay one hundred percent (100%) of all covered charges for any covered family member. Out-of-pocket maximums are per calendar year, as follows:

1. Network out-of-pocket maximum for individual—four thousand nine hundred fifty dollars (\$4,950);
2. Network out-of-pocket maximum for family—nine thousand nine hundred dollars (\$9,900). Any individual family member need only incur a maximum of *[eight thousand one hundred fifty dollars (\$8,150)] eight thousand five hundred fifty dollars (\$8,550)* before the plan begins paying one hundred percent (100%) of covered charges for that individual;
3. Non-network out-of-pocket maximum for individual—nine thousand nine hundred dollars (\$9,900); and
4. Non-network out-of-pocket maximum for family—nineteen thousand eight hundred dollars (\$19,800).

(10) Virtual visits offered through the vendor's telehealth tool are covered at one hundred percent (100%).

[[10]](11) Newborn's claims will be subject to deductible and coinsurance.

[[11]](12) Married, active employees who are MCHCP subscribers and have enrolled children may meet only one (1) family deductible and out-of-pocket maximum. Both spouses must enroll in the same medical plan option through the same carrier, and each must provide the other spouse's Social Security number (SSN) and report the other spouse as eligible for coverage when newly hired and during the open enrollment process. In the medical plan vendor and pharmacy benefit

manager system, the spouse with children enrolled will be considered the subscriber and the spouse that does not have children enrolled will be considered a dependent. If both spouses have children enrolled the spouse with the higher Social Security number (SSN) will be considered the subscriber. Failure to report an active employee spouse when newly hired and/or during open enrollment will result in a separate deductible and out-of-pocket maximum for both active employees.

[(12)](13) Each subscriber will have access to payment information of the family unit only when authorization is granted by the adult covered dependent(s).

[(13)](14) Expenses toward the deductible and out-of-pocket maximum will be transferred if the member changes non-Medicare medical plans or continues enrollment under another subscriber's non-Medicare medical plan within the same plan year.

[(14)](15) Maximum plan payment—Non-network medical claims that are not otherwise subject to a contractual discount arrangement are processed at one hundred ten percent (110%) of Medicare reimbursement for non-network professional claims and following the claims administrator's standard practice for non-network facility claims. Members may be held liable for the amount of the fee above the allowed amount.

[(15)](16) Any claim must be initially submitted within twelve (12) months following the date of service, unless otherwise specified in the network provider contract. The plan reserves the right to deny claims not timely filed. A provider initiated correction to the originally filed claim must be submitted within the timeframe agreed in the provider contract, but not to exceed three hundred sixty-five (365) days from adjudication of the originally filed claim. Any claims reprocessed as primary based on action taken by Medicare or Medicaid must be initiated within three (3) years of the claim being incurred.

[(16)](17) For a member who is an inpatient on the last calendar day of a plan year and remains an inpatient into the next plan year, the prior plan year's applicable deductible and/or coinsurance amounts will apply to the in-hospital facility and related ancillary charges until the member is discharged.

[(17)](18) Services performed in a country other than the United States may be covered if the service is included in 22 CSR 10-2.055. Emergency and urgent care services are covered as a network benefit. All other non-emergency services are covered as determined by the claims administrator. If the service is provided by a non-network provider, the member may be required to provide payment to the provider and then file a claim for reimbursement subject to timely filing limits.

[(18)](19) An active employee subscriber does not qualify for the HSA Plan if s/he is claimed as a dependent on another person's tax return or, except for the plans listed in section (20) of this rule, is covered under or enrolled in any other health plan that is not a high deductible health plan, including, but not limited to, the following types of insurance plans or programs:

(A) Medicare (unless Medicare is secondary coverage to MCHCP);

(B) TRICARE;

(C) A health care flexible spending account (FSA), with the exception of participation in the premium-only, limited-purpose health FSA, and dependent care section;

(D) Health reimbursement account (HRA); or

(E) If the member has received medical benefits from The Department of Veterans Affairs (VA) at any time during the previous three (3) months, unless the medical benefits received consist solely of disregarded coverage or preventive care.

[(19)](20) If an active employee subscriber and/or his/her depen-

dent(s) is enrolled in the HSA Plan and becomes ineligible for the HSA Plan during the plan year, the subscriber and/or his/her dependent(s) will be enrolled in the PPO 1250 Plan. The subscriber may enroll in a different non-HSA Plan within thirty-one (31) days of notice from MCHCP.

[(20)](21) A subscriber may qualify for this plan even if s/he is covered by any of the following:

- (A) Drug discount card;
- (B) Accident insurance;
- (C) Disability insurance;
- (D) Dental insurance;
- (E) Vision insurance; or
- (F) Long-term care insurance.

[(21)](22) Health Savings Account (HSA) Contributions.

(A) To receive contributions from MCHCP, the subscriber must be an active employee and HSA eligible as defined in the Internal Revenue Service Publication 969 on the date the contribution is made and open an HSA with the bank designated by MCHCP.

1. Subscribers who enroll in the HSA Plan during open enrollment who have a balance in a health care FSA on January 1 of the new plan year cannot receive an HSA contribution from MCHCP until after the health care FSA grace period ends March 15.

(B) A new employee or subscriber electing coverage due to a life event or loss of employer-sponsored coverage with an effective date after the MCHCP contribution will receive an applicable prorated contribution. Unless a subscriber is eligible for a special enrollment period, a subscriber will not be able to voluntarily change his/her plan selection.

(C) A subscriber who moves from subscriber-only coverage to another coverage level with an effective date after the MCHCP contribution will receive an applicable prorated contribution based on the increased level of coverage.

(D) If a subscriber moves from another coverage level to subscriber-only coverage, cancels all coverage, or MCHCP terminates coverage and has received an HSA contribution, MCHCP will not request a re-payment of the contribution.

(E) If both spouses are state employees covered by MCHCP and they both enroll in an HSA Plan, they must each have a separate HSA. The maximum contribution MCHCP will make for the family is six hundred dollars (\$600) regardless of the number of HSAs or the number of children covered under the HSA Plan for either parent. MCHCP will consider married state employees as one (1) family and will not make two (2) family contributions to both spouses or one (1) family contribution and one (1) individual contribution. MCHCP will make a maximum three hundred dollar (\$300) contribution to each spouse to total a maximum of six hundred dollars (\$600).

(F) The MCHCP contributions will be deposited into the subscriber's HSA as follows:

1. The January deposit will be made on the third Monday of the month, or the first working day after the third Monday if the third Monday is a holiday;

2. The April deposit will be made on the first Monday in April; and

3. Other deposits will be made on the first Monday of the month in which coverage is effective, or the first working day after the first Monday of the month coverage is effective if the first Monday is a state holiday.

Deposit	Subscriber Only	All other coverage levels
January	\$300.00	\$600.00
April (delayed contribution due to health care FSA grace period)	\$300.00	\$600.00
All others	A proration of \$300	A proration of \$600

AUTHORITY: sections 103.059 and 103.080.3., RSMo 2016. Emergency rule filed Dec. 22, 2008, effective Jan. 1, 2009, expired June 29, 2009. Original rule filed Dec. 22, 2008, effective June 30, 2009. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

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

22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare Primary Members. The Missouri Consolidated Health Care Plan is amending section (1).

PURPOSE: This amendment revises Medicare Part D coverage stage and copayment amounts.

(1) The pharmacy benefit for Medicare primary non-active members is provided through a Pharmacy Employer Group Waiver Plan (EGWP) as regulated by the Centers for Medicare and Medicaid Services herein after referred to as the Medicare Prescription Drug Plan.

(F) The Medicare Prescription Drug Plan is comprised of a Medicare Part D prescription drug plan contracted by MCHCP and some non-Part D medications that are not normally covered by a Medicare Part D prescription drug plan. The requirements for the Medicare Part D prescription drug plan are as follows:

1. The Centers for Medicare and Medicaid Services regulates the Medicare Part D prescription drug program. The Medicare Prescription Drug Plan abides by those regulations;

2. Initial Coverage Stage. Until a member's total yearly Part D prescription drug costs reach *[four thousand twenty dollars (\$4,020)] four thousand one hundred thirty dollars (\$4,130)*, the member will pay the following copayments:

A. Preferred Formulary Generic Drugs: thirty-one- (31-) day supply has a ten dollar (\$10) copayment; sixty- (60-) day supply has a twenty dollar (\$20) copayment; ninety- (90-) day supply at retail has a thirty dollar (\$30) copayment; and a ninety- (90-) day supply through home delivery has a twenty-five dollar (\$25) copayment;

B. Preferred Formulary Brand Drugs: thirty-one- (31-) day supply has a forty dollar (\$40) copayment; sixty- (60-) day supply has an eighty (\$80) dollar copayment; ninety- (90-) day supply at retail has a one hundred twenty (\$120) dollar copayment; and a ninety- (90-) day supply through home delivery has a one hundred (\$100) dollar copayment; and

C. Non-preferred Formulary Drugs and approved excluded drugs: thirty-one- (31-) day supply has a one hundred dollar (\$100) copayment; sixty- (60-) day supply has a two hundred dollar (\$200) copayment; ninety- (90-) day supply at retail has a three hundred dol-

lar (\$300) copayment; and a ninety- (90-) day supply through home delivery has a two hundred fifty dollar (\$250) copayment;

3. Coverage Gap Stage. After a member's total yearly Part D prescription drug costs exceed *[four thousand twenty dollars (\$4,020)] four thousand one hundred thirty dollars (\$4,130)* and remain below *[six thousand three hundred fifty dollars (\$6,350)] six thousand five hundred fifty dollars (\$6,550)*, the member will continue to pay the same cost-sharing amount as in the Initial Coverage stage until the yearly out-of-pocket Part D prescription drug costs reach *[six thousand three hundred fifty dollars (\$6,350)] six thousand five hundred fifty dollars (\$6,550)*;

4. Catastrophic Coverage Stage. After a member's total yearly out-of-pocket Part D prescription drug costs reach *[six thousand three hundred fifty dollars (\$6,350)] six thousand five hundred fifty dollars (\$6,550)*, the member will pay the greater of—

A. Five percent (5%) coinsurance or a *[three dollar and sixty cent (\$3.60)] three dollar and seventy cent (\$3.70)* copayment for covered generic drugs (including brand drugs treated as generics), with a maximum not to exceed the standard copayment during the Initial Coverage stage; or

B. Five percent (5%) coinsurance or an *[eight dollar and ninety-five cent (\$8.95)] nine dollar and twenty cent (\$9.20)* copayment for all other covered drugs, with a maximum not to exceed the standard copayment during the Initial Coverage stage; and

5. Amounts paid by the member or the plan for non-Part D prescription drugs will not count toward total Part D prescription drug costs or total Part D prescription drug out-of-pocket costs.

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 30, 2013, effective Jan. 1, 2014, expired June 29, 2014. Original rule filed Oct. 30, 2013, effective June 30, 2014. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership
PROPOSED AMENDMENT**

22 CSR 10-3.030 Public Entity Membership Agreement and Participation Period. The Missouri Consolidated Health Care Plan is amending section (1).

PURPOSE: This amendment revises participation and contribution requirements for dental coverage.

(1) The participation agreement, these rules, and applicable provisions of law constitute the membership agreement between a public entity and the Missouri Consolidated Health Care Plan (MCHCP).

(A) By applying for coverage under MCHCP, a public entity

agrees that—

1. A public entity must make health care coverage available to all eligible employees, their dependents, former employees entitled to a future retirement benefit, and retirees;

2. MCHCP will be the only health care offering made to its eligible members;

3. The public entity shall contribute at least fifty percent (50%) of the lowest-cost employee-only premium per month toward each active employee's premium for the plan(s) offered through MCHCP. There is no contribution requirement for dependents or retirees;

4. *[The public entity shall contribute at least fifty percent (50%) toward the employee-only dental premium per month. One hundred percent (100%) of the employees enrolled in the medical plan and fifty percent (50%) of dependents enrolled in the medical plan must participate in the dental plan. The number of employees enrolled in the dental plan must be equal to or exceed the number in the medical plan, but the same employees do not have to be enrolled in both plans;]* **There are no participation or contribution requirements for dental coverage;**

5. There are no participation or contribution requirements for vision coverage;

6. The Employee Assistance Program is paid by the employer and requires one hundred percent (100%) participation of employees eligible for medical coverage and can be expanded to additional classifications;

7. For public entities with fewer than twenty-five (25) employees, the public entity shall only offer one (1) MCHCP medical plan choice to its employees. For public entities with twenty-five (25) or more employees, the public entity may offer two (2) MCHCP medical plan choices;

8. For public entities with more than a total of three (3) employees, at least seventy-five percent (75%) of all eligible employees must enroll in MCHCP. If an employee declines coverage, s/he must submit a form stating coverage is waived. If the employee is waiving coverage because s/he is covered under another group health plan, Medicare or Medicaid, the employee must submit proof of other coverage. An employee with other group coverage, Medicare, or Medicaid is exempt from the seventy-five percent (75%) enrollment participation requirement. A participation audit will be conducted annually to ensure the participation requirement is met;

9. Any individual eligible as an employee may be covered as either an employee or dependent, but not both. Employees enrolled as dependents will not be considered as eligible employees;

10. A public entity may apply a probationary period, not to exceed applicable federal guidelines, before benefits become effective; and

11. A public entity must notify MCHCP of a member's termination within thirty (30) days of the termination.

AUTHORITY: section 103.059, RSMo [2000] 2016. Emergency rule filed Dec. 20, 2004, effective Jan. 1, 2005, expired June 29, 2005. Original rule filed Dec. 20, 2004, effective June 30, 2005. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must

be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

PROPOSED AMENDMENT

22 CSR 10-3.055 Health Savings Account Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (3), adding section (10), and renumbering as necessary.

PURPOSE: This amendment revises the out-of-pocket maximum for individual family members and adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(3) Out-of-pocket maximum.

(A) The family out-of-pocket maximum applies when two (2) or more family members are covered. The family out-of-pocket maximum must be met before the plan begins to pay one hundred percent (100%) of all covered charges for any covered family member. Out-of-pocket maximums are per calendar year, as follows:

1. Network out-of-pocket maximum for individual—four thousand nine hundred fifty dollars (\$4,950);

2. Network out-of-pocket maximum for family—nine thousand nine hundred dollars (\$9,900). Any individual family member need only incur a maximum of *[eight thousand one hundred fifty dollars (\$8,150)]* **eight thousand five hundred fifty dollars (\$8,550)** before the plan begins paying one hundred percent (100%) of covered charges for that individual;

3. Non-network out-of-pocket maximum for individual—nine thousand nine hundred dollars (\$9,900); and

4. Non-network out-of-pocket maximum for family—nineteen thousand eight hundred dollars (\$19,800).

(10) Virtual visits offered through the vendor's telehealth tool are covered at one hundred percent (100%).

[[10]](11) Newborn's claims will be subject to deductible and coinsurance.

[[11]](12) Each subscriber will have access to payment information of the family unit only when authorization is granted by the adult covered dependent(s).

[[12]](13) Expenses toward the deductible and out-of-pocket maximum will be transferred if the member changes medical plans or continues enrollment under another subscriber's plan within the same plan year.

[[13]](14) Maximum plan payment—Non-network medical claims that are not otherwise subject to a contractual discount arrangement are processed at one hundred ten percent (110%) of Medicare reimbursement for non-network professional claims and following the claims administrator's standard practice for non-network facility claims. Members may be held liable for the amount of the fee above the allowed amount.

[[14]](15) Any claim must be initially submitted within twelve (12) months following the date of service, unless otherwise specified in the network provider contract. The plan reserves the right to deny claims not timely filed. A provider initiated correction to the originally filed claim must be submitted within the timeframe agreed in the provider contract, but not to exceed three hundred sixty-five

(365) days from adjudication of the originally filed claim. Any claims reprocessed as primary based on action taken by Medicare or Medicaid must be initiated within three (3) years of the claim being incurred.

[(15)](16) For a member who is an inpatient on the last calendar day of a plan year and remains an inpatient into the next plan year, the prior plan year's applicable deductible and/or coinsurance amounts will apply to the in-hospital facility and related ancillary charges until the member is discharged.

[(16)](17) A subscriber does not qualify for the HSA Plan if s/he is claimed as a dependent on another person's tax return or, except for the plans listed in section (17) of this rule, is covered under or enrolled in any other health plan that is not a high deductible health plan, including, but not limited to, the following types of insurance plans or programs:

- (A) Medicare (unless Medicare is secondary coverage to MCHCP);
- (B) TRICARE;
- (C) A health care flexible spending account (FSA), with the exception of participation in the premium-only, limited-purpose health FSA, and dependent care section;
- (D) Health reimbursement account (HRA); or
- (E) If the member has received medical benefits from The Department of Veterans Affairs (VA) at any time during the previous three (3) months, unless the medical benefits received consist solely of disregarded coverage or preventive care.

[(17)](18) A subscriber may qualify for this plan even if s/he is covered by any of the following:

- (A) Drug discount card;
- (B) Accident insurance;
- (C) Disability insurance;
- (D) Dental insurance;
- (E) Vision insurance; or
- (F) Long-term care insurance.

[(18)](19) Services performed in a country other than the United States may be covered if the service is included in 22 CSR 10-3.057. Emergency and urgent care services are covered as a network benefit. All other non-emergency services are covered as determined by the claims administrator. If the service is provided by a non-network provider, the member may be required to provide payment to the provider and then file a claim for reimbursement subject to timely filing limits.

AUTHORITY: sections 103.059 and 103.080.3., RSMo 2016. Emergency rule filed Dec. 22, 2009, effective Jan. 1, 2010, expired June 29, 2010. Original rule filed Jan. 4, 2010, effective June 30, 2010. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

PROPOSED AMENDMENT

22 CSR 10-3.058 PPO 750 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; *[and]*
- (E) Sterilization procedure for men/.; **and**
- (F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 22—MISSOURI CONSOLIDATED
HEALTH CARE PLAN
Division 10—Health Care Plan
Chapter 3—Public Entity Membership**

PROPOSED AMENDMENT

22 CSR 10-3.059 PPO 1250 Plan Benefit Provisions and Covered Charges. The Missouri Consolidated Health Care Plan is amending section (5).

PURPOSE: This amendment adds one hundred percent (100%) coverage of virtual visits offered through the vendor's telehealth tool.

(5) The following services are not subject to deductible, coinsurance, or copayment requirements and will be paid at one hundred percent (100%) when provided by a network provider:

- (D) Four (4) Diabetes Self-Management Education visits; *[and]*
- (E) Sterilization procedure for men/.; **and**
- (F) **Virtual visits offered through the vendor's telehealth tool.**

AUTHORITY: section 103.059, RSMo 2016. Emergency rule filed Oct. 31, 2018, effective Jan. 1, 2019, expired June 29, 2019. Original rule filed Oct. 31, 2018, effective May 30, 2019. Emergency amendment

filed Oct. 30, 2019, effective Jan. 1, 2020, expired June 28, 2020. Amended: Filed Oct. 30, 2019, effective May 30, 2020. Emergency amendment filed Oct. 26, 2020, effective Jan. 1, 2021, expires June 29, 2021. Amended: Filed Oct. 26, 2020.

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 Consolidated Health Care Plan, Judith Muck, PO Box 104355, Jefferson City, MO 65110. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*