SALUS POPULI SUPREMA LEX ESTO

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

John R. Ashcroft
Secretary of State

MISSOURI REGISTRY
MISSOURI REGISTER

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

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

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

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

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

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

Code and Register on the Internet

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

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

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

These websites contain rulemakings and regulations as they appear in the Code and Registers.
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 symbolism 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- to ninety-day-count necessary for the filing of the order of rulemaking.

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

PROPOSED AMENDMENT


PURPOSE: This amendment would eliminate the conflict that currently exists where elk hunters in counties open during both the elk firearms portion and deer antlerless portion would not be allowed to pursue elk using all legal elk firearms methods during the deer antlerless portion.

(3) Other wildlife may be hunted during the firearms deer hunting season except as further restricted in this section—

(A) During the November portion statewide and the antlerless portion in open counties, other wildlife (except furbearers) may be hunted only with pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun and shot not larger than No. 4; except that waterfowl hunters, trappers, or landowners on their land may use other methods as specified in 3 CSR 10-7.410(1)(G); and except that elk hunters may use other methods as specified in 3 CSR 10-7.700(4) during the firearms portion of the elk season;


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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department’s website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PROPOSED AMENDMENT


PURPOSE: This amendment would eliminate the conflict that currently exists where deer hunters in counties open during both the elk firearms portion and deer antlerless portion would not be allowed to pursue deer using all legal deer firearms methods until the close of the elk firearms portion.

(2) Other wildlife may be hunted during the firearms portion of the elk hunting season except as further restricted in this section:[

(A) During the firearms portion of the elk hunting season in open counties, other wildlife may be hunted only with pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun and shot not larger than No. 4; except that waterfowl hunters, trappers, or landowners on their land may use other methods as specified in 3 CSR 10-7.410(1)(G); and except that deer hunters may use other methods as specified in 3 CSR 10-7.431(5) during the antlerless portion of the firearms deer season;


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 Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0460, or via the department’s website at https://short.mdc.mo.gov/Z49. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 30—Division of Financial and Administrative Services
Chapter 4—General Administration

PROPOSED AMENDMENT

5 CSR 30-4.030 Audit Policy and Requirements. The State Board of Education is amending the purpose, sections (1), (2), (4), (5), and (6), and adding sections (7) and (8).

PURPOSE: The purpose of this proposed amendment is providing clarity to the rule, updating terminology, incorporating federal references into the regulation, and changing the responsible section for reviewing audits within the Department of Elementary and Secondary Education (department). This amendment does not make substantive changes to Local Education Agencies’ (LEAs’) requirements.

PURPOSE: This rule establishes a comprehensive policy for public school district and charter school audits. The purpose of audits is to provide an independent review of financial operations, systems of internal control, and compliance with relevant state and federal laws and regulations.

(1) For the purpose of this rule, unless the context clearly requires otherwise, the following terms shall mean:

(A) [school] Local Education Agency (LEA). Public school district or charter school and, for the purpose of this rule, charter school includes non-LEA charter schools; and

(B) Audits of [schools] LEAs are primarily intended to express an auditor’s opinion on the fairness of presentation of the financial statements. Audits also provide an independent review of financial operations, systems of internal control, and compliance with relevant state and federal laws and regulations.

(4) The board’s responsibilities are as follows:

(A) Each board is responsible for defining an appropriate scope of the audit.

1. At a minimum, the audit must include the [school’s] LEAs:

   B. Fiduciary funds;
   C. Proprietary funds; and
   D. Component units (unless a component unit issues its own audited financial statements).

   2. A Single [A]udit of federal funds expended by the [school] LEA may be required. State law provides for the acceptance of federal acts and funds and for [their] necessary administration and supervision. Audit requirements are a part of federal acts and the implementing regulations adopted by the administering federal agencies. The requirements of the Single Audit Act, as amended by the Single Audit Act Amendments of 1996, 2 Fed. Reg. 35278-35319 (1997), and OMB Uniform Grant Guidance 2 CFR Part 200, which is incorporated by reference and made a part of this rule as published by the Office of the Federal Register, Office of Management and Budget and is available by contacting the Office of Management and Budget, Publications Office, Room 2200, New Executive Office Building, Washington, DC 20503, and Government Auditing Standards, revised December 2011, which is incorporated by reference and made a part of this rule as published by the Comptroller General of the United States, which is incorporated by reference and made a part of this rule as published by the U.S. Government Accountability Office, 441 G St. NW, Washington, DC 20548, are included in this audit policy. This rule does not incorporate any subsequent amendments or additions. Specific application of these requirements shall be as follows:

   A. All [schools] LEAs that expend a total amount of federal awards equal to, or in excess of, the amount specified in OMB Uniform Grant Guidance 2 CFR Part 200 as the [S]ingle [A]udit threshold or such other amount specified by the federal director of the OMB in any fiscal year shall either have a single audit or a program-specific audit made for such fiscal year in accordance with the requirements of The Single Audit Act Amendments of 1996, OMB Uniform Grant Guidance 2 CFR Part 200 and the Government Auditing Standards; or

   B. All [schools] LEAs that expend a total amount of federal awards of less than the amount specified in OMB Uniform Grant Guidance 2 CFR Part 200 as the [S]ingle [A]udit threshold or such other amount specified by the director of the OMB in any fiscal year shall be exempt for such fiscal year from compliance with The Single Audit Act Amendments of 1996. However, the [school] LEA must make the records available for review or audit by appropriate officials of the appropriate federal agency, department, and the Government Accountability Office (GAO). Also, these [schools] LEAs shall be required to have an audit performed in accordance with Government Auditing Standards.

3. All [charter school] audits shall be single entity reports completed based on a July 1 to June 30 fiscal year on an annual basis except for non-LEA charter schools that are part of an LEA. Non-LEA charter schools that are part of an LEA shall have an independent audit report as a single entity separate from the LEA audit report.

4. [Schools] LEAs that cease operations are not exempt from the audit requirements. A final audit of the [school’s] LEA’s activities through the date it ceases operations must be performed and submitted to the department as otherwise described in this rule;

(B) Each board is responsible for procuring audit services. Audit services should be competitively bid in accordance with [district] LEA procurement policy.

1. Each board is responsible for procuring an independent auditor who holds a current permit to practice public accounting in the state of Missouri and meets the requirements for continuing professional education and peer review, as defined by the regulations of the Missouri State Board of Accountancy and Government Auditing Standards. Contractors must also meet these requirements.

2. When the board requests proposals for audit services, the objectives and scope of the audit must be made clear. Board of Education policy, revised December 2011, which is incorporated by reference and made a part of this rule as published by the Department of Elementary and Secondary Education (department) and is available at the Accounting and Procurement Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0460, is the Government Auditing Standards. Auditors performing [S]ingle [A]udits pursuant to OMB Uniform Grant Guidance 2 CFR Part 200 must not be suspended or....
debarred from doing business with the federal government;

(C) The board audit report shall be submitted to the department by [school] LEA officials no later than December 31 of each year. If the audit is not received by the deadline, all funds disbursed by the department to the [school] LEA may be withheld until the audit is received;

(D) The board is responsible for transmitting one (1) copy of the board-approved audit report; the related management letter, if one is prepared by the independent auditor; [and] all other documentation or records as required by the department; a copy of the final approved signed board minutes or board resolution, indicating approval of the audit report to the department; and other copies of the audit report as required by federal laws and regulations to the appropriate agency(ies). The management letter (if applicable) and a copy of the final approved signed board minutes or board resolution indicating approval of the audit report must be received by the department before the audit file [will be] is considered complete for the fiscal year.

1. The audit report related management letter, and copy of the final approved signed board minutes or board resolution must be submitted electronically to the department by the [school][through the Web Applications program] as designated by the department. All signatures that would normally be included on the hard copy document must be present on the electronic document. Documents with scanned signatures [will be accepted] are acceptable. Copies of unsigned audit reports, management letters, or board minutes or resolutions [will not be accepted] are not acceptable.

2. Revisions to an audit report may also be submitted electronically to the department but must be accompanied by a signed statement from the independent auditor on the firm’s letterhead explaining the reason for the revision;

(E) [Schools] LEAs that have a single [A]audit performed and have federal findings or questioned costs shall submit the [school’s] LEA’s Corrective Action Plan prepared in accordance with OMB Uniform Grant Guidance 2 CFR Part 200 with their audit report and management letter as stated above.

1. The corrective action plan must be [in a separate document from] included with the audit report;

(F) The board must notify the department’s Financial and Administrative Services [section] Division if fraud or embezzlement is discovered during the course of the audit;

(G) The board must prepare financial statements that reflect its financial position, notes to the financial statements, and assertions related to compliance with state and federal laws and regulations [and also, the board is responsible for the accuracy of the audited financial statements; and];

(H) Each board is responsible for ensuring implementation of audit recommendations as appropriate and resolving any questions or discrepancies disclosed by the audit or noted by the department[.]; and

(I) The board is responsible for the accuracy of the audited financial statements.

(5) The independent auditor is responsible for conducting the audit in accordance with generally accepted auditing standards, government auditing standards, federal audit requirements, and the department audit guidelines as contained or referenced in this rule; submitting the audit report to the client board; and assisting in resolving questions or problems [which] may be disclosed by the audit. Depending on the contract or agreement the [school] LEA has with its independent auditor, this assistance may require additional compensation to be paid to the auditor.

(A) [School] LEA audits must contain at a minimum the following:

1. A statement of the scope of examination;

2. A statement as to whether the audit was conducted in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States;

3. The independent auditor’s opinion as to whether the financial statements included in the audit report present fairly the results of the operations during the period audited;

4. A statement as to whether the financial statements accompanying the audit report were prepared in accordance with generally accepted accounting principles or another comprehensive basis of accounting;

5. The reason or reasons an opinion is not rendered in the event the independent auditor is unable to express an opinion with respect thereto;

6. Except for charter schools, the independent auditor’s opinion as to whether the [school’s] LEAs budgetary and disbursement procedures conform to the requirements of Chapter 67, RSMo;

7. The independent auditor’s opinion as to whether attendance and transportation records are so maintained by the [school] LEA as to disclose accurately average daily attendance and average daily transportation of pupils during the period of the audit;

8. The schedule of selected statistics, as specified annually by the department; and

9. Financial statements presented in such form as to disclose the operations of each fund of the [school] LEA and a statement of the operations of all funds.

(6) The department has the general responsibility to receive and review audit(s);[ and] to verify that minimum audit requirements have been met; and with the school’s independent auditor, to resolve any questions or discrepancies. Specific responsibilities within the department are assigned as follows:

(A) [The department has an advisory and supervisory relationship with the board through the school’s administrative staff.] Questions regarding audit reports and any audit problems, discrepancies, or findings [will] are generally [be] resolved by the department directly with the administrative staff at the [school] LEA. However, in some cases, department staff may communicate directly with the [school’s] LEAs auditor. Department staff [will] may communicate with the federal cognizant agency (typically, the U.S. Department of Education) regarding compliance with various federal requirements. The cognizant agency has the authority to make periodic contacts with [school] LEA officials and their auditors regarding specific questions, audit deficiencies, or review of the audit process; and

(B) The [department’s Accounting and Procurement section is the primary point of contact with the school and their independent auditor regarding audit requirements and audit reports. This section] department is responsible for reviewing the audit reports for general acceptability in accordance with state and federal guidelines.

1. Department staff [will make a preliminary review] preliminarily review the audit to determine if the audit generally conforms to state and federal requirements referenced in this rule.

2. [Schools which] LEAs that receive an audit with a disclaimer of opinion shall institute corrective measures to ensure that the subsequent audit does not contain a disclaimer of opinion. If a disclaimer of opinion is rendered on the subsequent audit, the audit shall be deemed unacceptable and all funds disbursed by the department to the [school] LEA may be withheld until such time as the [school] LEA demonstrates to the department that the situation resulting in the disclaimer of opinion has been corrected by the [school] LEA.

3. Audit reports containing an adverse opinion [will be] are evaluated by department staff. Depending on the reasons for the adverse opinion, the department may require the [school] LEA to provide evidence that corrective action has been or is being taken to eliminate the adverse opinion from future reports. If corrective action is not taken as deemed necessary by the department and an adverse opinion is rendered on the subsequent audit, the audit shall be deemed unacceptable and all funds disbursed by the department
to the [school] LEA may be withheld until such time as the [district] LEA demonstrates to the department that the situation resulting in the adverse opinion has been corrected by the [school] LEA.

4. [Audits will be reviewed on a rotating basis] Department staff will review a sample of audits via a formal desk review for adherence to the appropriate audit requirements (The Single Audit Act Amendments of 1996; OMB Uniform Grant Guidance 2 CFR Part 200; Government Auditing Standards, as well as the state requirements) included or referenced in this rule.

A. Any deficiencies with the audit, during this phase, [will be] are communicated to [school] LEA officials and/or the independent auditor depending on the severity and type of deficiency noted. Resolution of desk review items should occur within the time frame provided by the department in the written communication with the [school] LEA or the independent auditor. Failure to address noted deficiencies may result in the withholding of funds disbursed by the department to the [school] LEA. Severe deficiencies and/or inaction by the [school's] LEA's independent auditor may result in the reporting of the independent auditor to the Missouri State Board of Accountancy.

B. Review of the independent auditor’s working papers may be conducted by the department as deemed appropriate to ensure appropriate work has been performed to support statements, opinions, findings, etc. of the independent auditor. Auditors may be requested to provide their most recent peer review report to the department.

5. For audits conducted in accordance with OMB Uniform Grant Guidance 2 CFR Part 200, federal findings and questioned costs and the related Corrective Action Plan [will be] are circulated to the appropriate department program sections for follow-up with the [school] LEA.

A. The program sections, both federal and state, are responsible for addressing relevant portions of the audit including follow-up with [school] LEA officials and their independent auditors to resolve any questions, discrepancies, or audit findings.

B. The appropriate program section shall issue a written management decision to the [school] LEA indicating approval/disapproval of the [school’s] LEA’s Corrective Action Plan. This must take place within six (6) months from the receipt of the audit.

C. When the program section review suggests questions or discloses discrepancies, the individual program section [will correspond] corresponds directly with the [school] LEA. This correspondence initiates a procedure for resolving program audit questions and discrepancies which is outlined below:

(I) Personnel of the various program sections [will] advise the [school] LEA officials of the findings and the nature of any discrepancy found in the audit report;

(II) Within the time frame provided by the department, [school] LEA officials [will be] are expected to respond with clarifying information and, as appropriate, corrected data or a corrected page of the audit report issued by the independent auditor who conducted the original audit. Department staff [will] assist in every reasonable way to help a [school] LEA and/or its independent auditor find a solution to audit problems; and

(III) If a discrepancy cannot be resolved, the department may recover or withhold applicable state or federal funds from the affected program.

(7) The Single Audit Act Amendments of 1996, 62 FR 35278-35319, and the Office of Management and Budget (OMB) Uniform Grant Guidance, 2 CFR Part 200, are hereby incorporated by reference and made a part of this rule as published by the Office of the Federal Register and are available by contacting the Office of Administration, Publications Office, Room 2200, New Executive Office Building, Washington, DC 20503. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials. This rule does not incorporate any subsequent amendments or additions.

8. The Government Auditing Standards, revised July 2018, issued by the Comptroller General of the United States, are hereby incorporated by reference and made a part of this rule as published by the U.S. Government Accountability Office, 441 G St. NW, Washington, DC 20548. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials. This rule does not incorporate any subsequent amendments or additions.

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, ATTN: Kari Monses, Division of Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102-0480, or by email to DESE.AdminRules@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 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

PROPOSED AMENDMENT

11 CSR 70-2.120 Retail Licensees. The Division of Alcohol and Tobacco Control is removing previous sections (2), (3), (7), and (8); adding a new section (5); and renumbering as necessary.

PURPOSE: This amendment removes unnecessary language and clarifies the expectations of retail licensees.

[2] If any retail licensed premises has multiple licenses for separate businesses in the same building, then the building shall be partitioned in a manner that the partitions run from the front of the building to the rear of the building, from the ceiling to the floor and be permanently affixed to the ceiling, floor, front, and rear of the building in a manner as to make two (2) separate and distinct premises. Each premises shall have a separate entrance in front and different street addresses, so as to indicate sufficiently that the businesses are run separately and distinct from each other. In addition, the business maintained on each of the premises shall be manned and serviced by an entirely separate and distinct group of employees and there may be no buzzers, bells, or other wiring or speaking system connecting one (1) business with the other. Separate files, records, and accounts pertaining to the
businesses are to be maintained.

(3) Hotels and municipal or county airports or terminals or their lessees or concessionaires, leasing or having concession rights for the whole or a particular part of the facility, holding licenses authorizing the retail sale of intoxicating liquor by the drink for consumption on the premises where sold may maintain as many bars as they like on the licensed premises, provided that the places at which it is sold by the drink, in all respects, complies with the provisions of section 311.330, RSMo.

(4) No retailer may place or permit the placing of any object on or within the windows of premises covered by licenses which impedes or obstructs vision from the exterior into the interior.

(5) No holder of a retail license may use illuminated brand signs exclusively for illuminating purposes. Sufficient light must be maintained at all times to ensure clear visibility into the interior and within the interior of the premises.

(6) No licensee may operate, play, or permit the operation of any public speaking system transmitter, sound amplification device, or any other type of device, mechanical[,] or electronic, to emit or direct music, spoken words, sounds, or noise of any kind exceeding eighty-six (86) decibels on an A-weighted scale when measured across a residential property line fifty feet (50') or more from the source of the noise between the hours of 11:00 pm and 11:00 am. This regulation does not supersede any state or local laws or ordinances regulating noise in the area.

(7) Licenses authorizing the retail sale of intoxicating liquor, by the drink on Sunday between the hours of 9:00 a.m. and midnight may be issued to all qualified applicants as defined in section 311.293, RSMo. 

(A) An applicant for a restaurant-bar license is to obtain a license authorizing the retail sale of intoxicating liquor by the drink as provided in either section 311.085, 311.090, or 311.096, RSMo.

(B) Premises for which a Sunday license is sought and the description at the premises on each license shall be exactly the same as those premises covered by an existing retail sale of intoxicating liquor by the drink license.

(8) Licensees may apply to the supervisor for an exemption to the limitation of five (5) licenses to sell intoxicating liquor by the drink for consumption on the premises.

(9) Resorts. Licenses authorizing the retail sale of liquor by the drink may be issued to qualified applicants for resorts as defined in section 311.095, RSMo. Applicants for a resort license shall prepare and maintain records in order to substantiate the sales figures as presented in the certified statement, including[,] but not limited to[,] bank statements, cancelled checks, and invoices for food and intoxicating liquor purchases.


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 Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.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 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

PROPOSED AMENDMENT

11 CSR 70-2.130 Retailer’s Conduct of Business. The Division of Alcohol and Tobacco Control is amending the purpose, sections (1), (2), (3), (5), (6), (7), (8), (10), (11) and (13); adding new sections (4), (12) and (14); removing previous sections (3) and (12); and renumbering as necessary.

PURPOSE: This amendment clarifies rules of conduct for retailers.

Previous section (12) is being moved to 11 CSR 70-2.140.

PURPOSE: This rule establishes general rules of for conducting retail establishments.

(1) No [licensee] person holding a license for the retail sale of intoxicating liquor who has had his/her license suspended by order of the supervisor of [A]lcohol and [T]obacco [C]ontrol may sell, give away, or permit the consumption of any intoxicating liquor on or about the licensed premise, nor may s/he order or accept delivery of any intoxicating liquor during the period of time the order of suspension is in effect. Any licensee desiring to keep his/her premises open for the sale of food or merchandise during the period of suspension [should] shall display the order of suspension issued by the supervisor of [A]lcohol and [T]obacco [C]ontrol in a conspicuous place on the premises so that all persons visiting the premises may readily see the order of suspension and shall ensure that all places where intoxicating liquor is stored or dispensed on or about the licensed premises are closed in accordance with section 311.290, RSMo, for the duration of the suspension.

(2) No person holding a license for the retail sale of malt liquor by the drink may knowingly sell, give away, or serve upon the premises described in the license any glass, ice, water, soda water, phosphates, or any other kind of liquids to be used for the purpose of mixing intoxicating drinks and commonly referred to as set-ups; nor may any [licensee] person holding a license for the retail sale of malt liquor by the drink allow any person [while on or upon the licensed premises covered by the license] on or about the licensed premise to possess or consume any intoxicating liquor other than malt liquor, or to pour into, mix with, or add intoxicating liquor other than malt liquor, to water, soda water, ginger ale, seltzer, or other liquid.

(3) The holder of a license authorizing the retail sale of intoxicating liquor by the drink may sell liquor in any quantity, not for resale, but may not possess any spirituous liquor in any container having a capacity of more than one (1) gallon or any wine in any container having a capacity of more than fifteen and one-half (15 1/2) gallons.

(4) No person holding a license [authorizing] for the retail sale
of intoxicating liquor may sell or deliver any intoxicating liquor to any person with knowledge or with reasonable cause to believe, that the person to whom the liquor is sold or delivered has acquired the liquor for the purpose of peddling or reselling it.

(4) Any person holding a license for the retail sale of intoxicating liquor who delivers intoxicating liquor to a consumer at a location other than the licensed premises must ensure that delivery—
   (A) Is not made during any hours when the licensed premises is required by law to be a closed place;
   (B) Is not made to the licensed premises of a licensed retailer;
   (C) Is made by an employee or agent of the licensee expressly authorized to deliver intoxicating liquor on the licensee’s behalf;
   and
   (D) Complies with all other provisions of Chapter 311, RSMo, and the regulations promulgated therefore.

(5) No [licensee] person holding a license for the retail sale of intoxicating liquor may sell, give away, or possess any [spirituous] intoxicating liquor, or any in any container when the intoxicating liquor is not that set out on the manufacturer’s label on the container or does not have alcoholic content shown on the manufacturer’s label.

(6) No [retail licensee] person holding a license for the retail sale of intoxicating liquor may bottle any intoxicating liquor from any barrel or other container nor may s/he refill any bottle or add to the contents of the bottle from any barrel or other container except where explicitly authorized by statute.

(7) [A licensee selling] Any person holding a license for the retail sale of intoxicating liquor by the drink, when requested to serve a particular brand or type of [spirituous liquor or beer] intoxicating liquor, may not substitute another brand or type of [spirituous liquor or beer] intoxicating liquor.

(8) No [retail licensee] person holding a license for the retail sale of intoxicating liquor may allow or cause any sign or advertisement pertaining to intoxicating liquor [or malt beverages] to be carried or transported upon any sidewalk or street of any municipality or upon any highway of the state. This provision is inapplicable to any legal sign or advertisement placed on a vehicle being used to deliver intoxicating liquor [or malt beverages].

(10) No person holding a license [authorizing] for the retail sale of intoxicating liquor which has not been purchased from, by, or through duly licensed wholesalers.

(11) No [holder of] person holding a license [to sell] for the retail sale of intoxicating liquor [by the drink], nor their employees or agents, may [give, sell, or permit to be given to or sold to any on duty employee of the establishment operated by the licensee] consume any intoxicating liquor, nor may any person with knowledge or with reasonable cause to believe, that the person to whom the liquor is sold or delivered has acquired the liquor for the purpose of peddling or reselling it.

(12) Any person holding a license for the retail sale of intoxicating liquor must have at least one (1) on duty employee at the establishment who is responsible for the sale, dispersion, and consumption of intoxicating liquor on or about the licensed premises whenever the establishment is not a closed place in accordance with section 311.290, RSMo.

(13) Lewdness. No [retail licensee or his/her employee] person holding a license for the retail sale of intoxicating liquor may permit in or upon his/her licensed premises—
   (A) The performance of acts, or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;
   (B) The displaying of any portion of the areola of the female breast;
   (C) The actual or simulated touching, caressing, or fondling of the breast, buttocks, anus, or genitals;
   (D) The actual or simulated displaying of the pubic hair, anus, vulva, or genitals;
   (E) The permitting by a licensee of any person to remain in or upon the licensed premises who exposes to public view any portion of his/her genitals or anus; and
   (F) The displaying of films, video programs, or pictures depicting acts, the live performances of which are prohibited by this regulation or by any other law.

(14) No person holding a license for the retail sale of intoxicating liquor may permit any person to smoke or imbibe medical marijuana on or about the licensed premises or create any non-public or quasi-public areas on or about the licensed premise for medical marijuana usage.

[114]/[115] In the event the premises of any licensee is declared to be off-limits by the military authorities, the licensee may not permit any member of the armed forces to be in or upon the premises covered by his/her license. Provided, this is only effective after the licensee is notified of the order by the supervisor of [A]alcohol and [T]obacco [C]ontrol. Members of the Military Police or Shore Patrol are exempt from this provision.


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 Division of Alcohol and Tobacco Control at 1738 East Elm Street,
The Division of Alcohol and Tobacco Control is amending the purpose, sections (5), (6), (14), (16), (18), (19) and (21); adding new sections (1)–(4), (7)–(10), and (23)–(25); and renumbering as necessary.

PURPOSE: This amendment clarifies the requirements for all licensees.

PURPOSE: This rule establishes additional rules for the conduct of business in [both retail and wholesale] all establishments licensed by the supervisor regarding inspection, record keeping, storage, employment, sales, gambling, [and] consumption by minors, and other aspects of enforcement of Chapter 311, RSMo.

(1) Licensees at all times are responsible for the conduct of their business and at all times are directly responsible for any act or conduct of any employee on the premises which is in violation of the Intoxicating Liquor Control Laws or the regulations of the supervisor of alcohol and tobacco control.

(2) Licensees are at all times responsible for ensuring that the following individuals understand their responsibilities and obligations under Chapter 311, RSMo, and the regulations promulgated thereunder: the licensee; the managing officer, if applicable; any owners, shareholders, members, or partners; or any employee or agent who serves, sells, distributes, or furnishes intoxicating liquor on behalf of the licensee; and any third parties hired, contracted, or otherwise authorized by the licensee to provide services or entertainment to customers and patrons.

(3) Licensees are at all times responsible for the conduct of their business and at all times are directly responsible for any act or conduct of any employee or agent on the premises or acting within the scope of their employment or agency relationship, and for any third parties hired, contracted, or otherwise authorized by the licensee to provide services or entertainment to customers or patrons which is in violation of the Liquor Control Law or the regulations of the supervisor of alcohol and tobacco control.

(4) Improper Acts.

(A) At no time, under any circumstances, may any licensee or his/her employees immediately report the occurrence to law enforcement authorities and cooperate with law enforcement authorities and agents of the Division of Alcohol and Tobacco Control during the course of any investigation into an occurrence.

(B) This regulation applies to all areas on or about the licensed premise, including areas that have been rented to or reserved for temporary use by third parties.

(2)(5) The licensed premises and all portions of the building[s] of the premises, including all rooms, cellars, outbuildings, passageways, closets, vaults, yards, attics, and all buildings used in connection with the operations carried on under the license and which are in the licensee’s possession or under its control, and all places where the licensee keeps or has liquor stored, may be inspected by the supervisor of alcohol and tobacco control and his/her agents at any time to ensure compliance with and enforcement of the provisions of Chapter 311, RSMo, and the regulations promulgated thereunder. Licensees shall cooperate fully with the agents during the inspections.

(3)(6) All licensees shall keep complete and accurate records pertaining to their businesses. Such records include a complete and accurate record of all purchases and of all sales of intoxicating liquor made by them. These records are to include the names and addresses of all persons from whom the liquor is purchased, the dates, kinds, and quantities of the purchases and the dates and amounts of payments on account. They also should include the daily gross returns from sales.

(A) All licensees are to keep all records pertaining to their business, including but not limited to files, books, records, papers; state, county and city licenses; and accounts and memoranda pertaining to the business conducted by them, on the licensed premises. [The supervisor of alcohol and tobacco control or his/her duly authorized agents and auditors, may inspect, audit, or copy such records at any time.]

(B) All records required to be kept by law or rule of the supervisor shall be kept and preserved for a period of two (2) years from the date the record was made, unless otherwise specified in statute.

(C) The supervisor of alcohol and tobacco control or his/her duly authorized agents and auditors, may inspect, audit, or copy such records at any time.

(7)Whenever units of measurement are set forth in the Liquor Control Law or the regulations promulgated thereunder, they are to be interpreted in accordance with their common usage in the imperial system and the metric system.

(8) Only one (1) person, partnership, or entity may be licensed by the supervisor to operate out of any particular premises. Alternating proprietorships are prohibited.

(9) If any premises has multiple licenses for separate businesses in the same building or complex, then the building or complex shall be partitioned in a manner that the partitions run from the front of the building to the rear of the building, from the ceiling to the floor and be permanently affixed to the ceiling, floor, front, and rear of the building in a manner as to make separate and distinct premises for each licensee. Each licensee shall have a separate entrance in front and different street addresses, so as to indicate sufficiently that the businesses are run separately and distinct from each other. In addition, the business maintained on each of the premises shall be manned and serviced by an entirely separate and distinct group of employees and there may be no buzzers, bells, or other wiring or speaking system connecting one (1) business with the other. Separate files, records, and accounts pertaining to the businesses are to be maintained.

(10) If the division sends a written inquiry or request to a licensee
at its address currently registered with the division, the licensee must respond in writing within thirty (30) days of the date of the division’s written inquiry or request. Failing to provide a written response, withholding records, documents, or information relevant to the division’s inquiry or request, or providing false information on a written response may result in disciplinary action.

[(4)/(11)] No licensee may buy or accept any warehouse receipt unless the seller or donor of the receipt first acquires the written permission of the supervisor of alcohol and tobacco control to sell or give away the receipt.

[(5)/(12)] No licensee may have consigned to him/her, receive or accept the delivery of, or keep in storage any intoxicating liquors upon any premises other than those described in his/her license without first having obtained the written permission of the supervisor of alcohol and tobacco control.

[(6)/(13)] No wholesale or retail licensee may sell or possess any spirituous liquor in any package or container holding less than fifty (50) milliliters (1.7 ounces) or more than one (1) gallon. No wholesale or retail licensee may sell or possess any wine in any package or container holding less than one hundred (100) milliliters (3.4 ounces) or more than fifteen and one-half (15 1/2) gallons.

[(7)/(14)] [Licensees who] Requirements for employing minors—
(A) Licensees who desire to employ persons under the age of twenty-one (21) as authorized by section 311.300, RSMo, may apply to the supervisor using forms provided for that purpose; and
(B) Employ persons under the age of twenty-one (21) years as authorized by section 311.300, RSMo, who do not have at least fifty percent (50%) of the gross sales consisting of nonalcoholic sales may be permitted if an employee twenty-one (21) years of age or older is on the licensed premises during all hours of operation. Licensees who employ persons under the age of eighteen (18) may not allow those employees to sell, serve, or dispense, or assist in the sale, service, or dispensing of intoxicating liquor. Employees under the age of eighteen (18) may not stock intoxicating liquor, arrange intoxicating liquor displays, accept payment for intoxicating liquor, sack intoxicating liquor for carryout, or otherwise handle intoxicating liquors.

[(8)/(15)] No person licensed by the supervisor of alcohol and tobacco control may allow upon his/her licensed premises any self-service, coin-operated, mechanical devices, or automatic dispensers for the purpose of selling or dispensing intoxicating liquor except as pursuant to section 311.205, RSMo.

[(9)/(16)] Any licensee may sponsor or allow promotional games, raffles, and similar contests to be conducted upon his/her licensed premises, provided that—
(A) The consumption of intoxicating liquor [should] shall not be related to or an element of a promotional game, raffle, or similar contest either directly or indirectly;
(B) Intoxicating liquor may not be a prize of a promotional game, raffle, or similar contest either directly or indirectly./.

1. Any licensee conducting a promotional game, raffle, or similar contest must notify any winners and recipients of cash prizes, gift cards, coupons, discounts, or other similar prizes that those prizes exclude the purchase of intoxicating liquor.

2. No licensee may knowingly accept cash prizes, gift cards, coupons, discounts, or other similar prizes from a promotional game, raffle, or similar contest hosted by a licensee for purchases of intoxicating liquor;
(C) The conduct or playing of games on premises approved by the Missouri Gaming Commission to conduct games in accordance with Chapter 313, RSMo, does not constitute gambling or gambling activ-

ies when the games are conducted in accordance with Chapter 313, RSMo, and the activity, by itself, does not constitute a violation of this regulation;
(D) The sale of state lottery tickets or shares on premises licensed by the lottery commission to sell lottery tickets or shares to the public does not constitute gambling or gambling devices when conducted in accordance with Chapter 313, RSMo, and the activity, by itself, does not constitute a violation of this regulation; and
(E) The giving of door prizes or other gifts by lot or drawing after payment of a price by members or guests of a charitable organization which has obtained an exemption from payment of federal income taxes as provided in Section 501(C)(3) of the Internal Revenue Code of 1954, does not constitute gambling or gambling devices when conducted on a licensed premises by the charitable organization./.

[(F)] The promotional game, raffle, or similar contests complies with all other aspects of Missouri law.

[(10)/(17)] No licensee may employ on or about the licensed premises any person who has been convicted since the ratification of the twenty-first amendment of the Constitution of the United States of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor; or any person who has had a license revoked under Chapter 311, RSMo, unless five (5) years have passed since the revocation of the license.

[(11)/(18)] No licensee, his/her agent, or employee may sell or supply intoxicating liquor in any place other than that designated on the license or at any other time or in any other manner except as authorized by the license. Order of and payment for any intoxicating liquor must be made directly to the licensee.

[(12)/(19)] No licensee, his/her agent, or employee may permit any one under the age of twenty-one (21) years of age to consume or possess intoxicating liquor upon or about his/her licensed premises.

[(13)/(20)] No licensee, his/her agent, or employee may allow upon or about the licensed premises solicitation for the purposes of prostitution or other immoral activities by any person.

[(14)/(21)] No licensee, his/her agent, or employee may possess, store, sell or offer for sale, give away, or otherwise dispose of any controlled substance as defined in Chapters 195 and 579, RSMo.

[(15)/(22)] No licensee, his/her agent, or employee may mix or pour, or permit to be mixed or poured, any intoxicating liquor directly into any person’s mouth upon or about the licensed premises.

[(23)] No licensee shall use exterior signage or advertising that does not accurately reflect the licensee’s legal name, business name or d/b/a, or trade name as stated on the state liquor license or on file with the division.

[(24)] Any licensee wishing to appeal any disciplinary action imposed by the state supervisor in accordance with section 311.691, RSMo, must do so before the effective date of the disciplinary order.

[(25)] The expiration, cancellation, revocation, reversion, surrender, or termination in any manner of a license does not prevent the initiation or completion of any disciplinary proceeding against the licensee for actions that occurred prior to the expiration, cancellation, revocation, reversion, surrender, or termination in any manner of the license.

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 Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.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 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

PROPOSED AMENDMENT

11 CSR 70-2.150 Tax Credits and Refunds. The Division of Alcohol and Tobacco Control is amending the title and purpose of this regulation. The division is also amending section (1), adding new section (2), removing sections (4) and (5), and renumbering as necessary.

PURPOSE: This amendment clarifies that excess tax payments are credited, and it gives a time limit for tax credit and refund requests.

PURPOSE: This rule establishes procedures for refund of unused licenses and receiving tax credits on intoxicating liquor [and non-intoxicating beer].

(1) Any licensee who pays more taxes on intoxicating liquor than what they actually owed may request a tax credit to apply to future payments of taxes on intoxicating liquor.

[(1)(A)] Every licensee who [claims a refund] requests a tax credit for Missouri tax on intoxicating liquor [or a refund for Missouri tax on malt liquor] shall present [claims] requests to the supervisor of [Alcohol and Tobacco Control] and attach to the [request] a complete statement, under oath, as to the facts supporting the [claim] request.

[(2)] After the [claim] tax credit request is accepted for audit by the supervisor and the claimant has been notified of the acceptance, then an inspection can be made by the supervisor or his/her agents. The agents shall make an affidavit that they inspected the intoxicating liquors [and/or malt liquors] denoting in the affidavit the brand, number of the containers or cases, and the disposition to be made of the spirituous liquor, wine, or malt liquor.

[(3)] Under no circumstances shall [refund claims] tax credit requests be accepted by the supervisor if the sole reason for their presentation to him/her is because the claimant has purchased beyond his/her capacity to sell.

[(D)] The supervisor shall not accept tax credit requests filed more than ninety (90) days after the date listed on the underlying invoice(s) for the request.

[(E)] The supervisor reserves the right to refuse any or all tax credit requests presented.

[(4)] The supervisor shall not accept claims for refunds for unused portions of permits.

[(5)] The supervisor reserves the right to refuse to accept for audit any or all claims presented.[

(2) Any person who obtains a liquor license, and does not use the license at all, may request a refund of license fees.

(A) The supervisor shall not accept partial refund requests for unused portions of licenses.

(B) The supervisor shall not accept refund requests filed more than ninety (90) days after the expiration date on the license.


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 Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.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 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

PROPOSED AMENDMENT

11 CSR 70-2.190 Unlawful Discrimination and Price Scheduling. The Division of Alcohol and Tobacco Control is amending the title and purpose of this regulation. The division is also amending sections (3), (4), (5), (7), (9), (10) and (12); adding new section (2); and renumbering as necessary.

PURPOSE: This amendment provides cleanup of this rule and adds a definition for substantially identical products.

(2) For the purpose of this rule, substantively identical products refers to products that are indistinguishable from one another and products where the only distinguishing factors are unlikely to impact the fair market value of the products.

[(2)] [(3)] Product Pricing Information.

(A) The product pricing information is to be made available to retailers five (5) days prior to the last day of the month and include the brand number, brand or trade name, capacity of individual packages, nature of contents, age and proof, the per bottle and per case price, the number of bottles contained in each case, and the size thereof.

(B) Supplemental pricing information is to be made available to retailers when a new product, new size, or new proof is added by a wholesaler during the month and not subject to change before the first of the month when regularly filed product pricing information is effective. A wholesaler is allowed to sell such items to retailers immediately upon production of such supplemental information. Supplemental pricing information includes the brand number, brand or trade name, capacity of individual packages, nature of contents, age and proof, the per bottle and per case price, the number of bottles contained in each case, and the size thereof.
(C) The wholesaler may sell at any price for any item as long as it is sold above their cost and they sell all substantially identical products at the same price to all retailers as indicated on their product pricing information.

(D) Close out items should be identified as such on the product pricing information that is made available to retailers at prices which may be below the wholesaler’s costs for not less than six (6) consecutive months during which time the wholesaler may not purchase further inventory. The wholesaler should not use close out pricing as an inducement for retailers to purchase other intoxicating liquors.

[(3)/(4)] Discounts.

(A) The wholesaler may grant any discount up to one (1) per centum for quantity of spirituous liquor and wine and one (1) per centum for payment on or before a certain date.

(B) Quantity discounts. A quantity discount may be granted only for quantities of two (2) or more. If a price is listed for bottles only, then a quantity discount may be allowed on quantities of two (2) or more bottles. If a price is listed for both bottles and cases, then a quantity discount may be allowed only on quantities of two (2) or more unbroken cases. Quantity discounts may be graduated but not exceed the maximum one percent (1%).

(C) Discounts for time of payment. A discount for time of payment may be granted only for 1) payment for time of delivery, 2) payment on or before ten (10) days from the date of delivery, or 3) payment on or before fifteen (15) days from the date of delivery.

(D) The combination of discounts to be posted on the product pricing information are as follows: No discount, one percent (1%) for time of payment, one percent (1%) for quantity discounts, or one percent (1%) for time of payment and one percent (1%) for quantity.

(E) No person licensed to sell intoxicating spirituous liquor and wine at retail may accept any discount, rebate, free goods, allowances, or other inducement from any wholesalers except the discount for payment and quantity discount on or before a certain date.

[(4)/(5)] Case Size. For the purpose of this regulation, a case of intoxicating spirituous liquor or a case of wine is declared to be a cardboard, wooden, or other container, containing bottles of equal size filled with intoxicating spirituous liquor or wine of the same brand, age, and proof. The following table depicts the number of bottles considered to be a case of various bottle sizes for both the English and metric systems of measure, for pricing purposes:

<table>
<thead>
<tr>
<th>Size of Bottle</th>
<th>Number of Bottles per Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than /6/.3/ 8 oz.</td>
<td>48, 60, 96, 120, 144, 192 or 240</td>
</tr>
<tr>
<td>8 oz. up to, but not including, 10 oz.</td>
<td>48</td>
</tr>
<tr>
<td>10 oz. up to, but not including, 21 oz.</td>
<td>24</td>
</tr>
<tr>
<td>21 oz. up to, but not including, 43 oz.</td>
<td>12</td>
</tr>
<tr>
<td>43 oz. up to, but not including, 85 oz.</td>
<td>6</td>
</tr>
<tr>
<td>85 oz. up to, [and] but not including, 128 oz.</td>
<td>3, 4, [or] 6</td>
</tr>
</tbody>
</table>

(A) The Universal Coding of Alcoholic Beverages for Products by container size is to be used to code the bottle size. An item is declared to be either a bottle or a case of intoxicating spirituous liquor or wine scheduled as required;

(B) All sizes less than one-half (1/2) pint or eight (8) ounces under the English system of measure are defined as miniatures. Under the metric system of measure, miniatures are defined as fifty (50) milliliters (1.7 ounces) for spirituous liquors and one hundred (100) milliliters (3.4 ounces) for vinous liquors. Acceptable case sizes for miniatures are 240, 192, 144, 120, 96, 60, and 48 bottles. Miniatures may be sold in only one (1) case size for each bottle size sold; and

(C) If an intoxicating spirituous liquor or wine product is packaged by the manufacturer in a bottle quantity for that bottle size exceeding one (1) bottle but either more or less than the case quantity for the bottle size listed in section (4), a wholesaler may sell that package for a total price that reflects the same per bottle price as the per bottle price in the posted case price, if the wholesaler’s invoice specifies the quantity in the package.

[(5)/(6)] The price to retailers, except retailers operating railroad cars, should include federal custom duties, internal revenue taxes, state excise tax, bottling and handling charges, and the cost of delivery to the retailer. The price to retailers operating railroad cars may be scheduled at a price “ex state excise tax,” but shall include all other taxes and costs computed in prices to other retailers. No charge(s) may be made in addition to the price except that on past due accounts there may be imposed a finance (interest) charge in accord with that permitted by law. Provided, however, that if a wholesaler elects to impose a finance (interest) charge on past due account the charge shall be of uniform rate to all retailers and imposed on all retailers who have past due accounts.

[(6)/(7)] Delivery. Any brand of spirituous liquor or wine sold to a retailer is to be shipped to and received by the retailer at the price in effect for that calendar month in which the delivery occurs. Delayed shipment orders may be taken the last five (5) days of the month and delivered in the first five (5) days of the following month.

[(7)/(8)] Returns. Merchandise returns exceeding seven (7) days from delivery date may not be accepted for return from a retailer, except pursuant to a court order or with prior approval from the supervisor for any of the following reasons:

(A) The merchandise delivered does not conform to the merchandise ordered, whether an error was made at the time the order was taken or when the merchandise was delivered. Requests to return merchandise delivered in error should be submitted to the supervisor within thirty (30) days of the original invoice; or

(B) The retailer is abandoning the retail liquor business.

[(8)/(9)] Breakage. Samples, Expenses. As part of its regular books and records, each wholesaler licensed to sell intoxicating spirituous liquor or wine is required to keep a monthly record of all allowances for breakage containing the name, address, and license number of the customer, the amount of breakage allowance, and the date and number of the invoice of sale for which allowance is given. No allowance for breakage may be given unless the broken bottle is returned to the seller within seventy-two (72) hours after delivery. Broken bottles are to be kept available on the wholesaler’s licensed premises for inspection by representatives of the supervisor and may not be removed from the licensed premises or destroyed [only] except with permission from the supervisor.

[(9)/(10)] Posting of Contraband Spirituous Liquors and Wines Purchased [From] Supervisor. Bottles or cases of spirituous liquor or wine as described in section (4) which have been declared contraband and purchased by a wholesaler from the supervisor or the officer who seized the same under the provisions of sections 311.820 and 311.840, RSMo, or by a wholesaler from a wholesaler who so purchased the same, may be posted by the wholesaler at prices less than other spirituous liquors and wines of the same brand, age, and proof. When the spirituous liquors and wines are so posted, the pricing is to be accompanied by a writing on which the spirituous liquors and wines are exactly described and the quantity(ies) available for purchase set forth and upon sale of all or any part of the quantity a copy of the invoice shall be sent to the supervisor upon the day it is prepared. Only spirituous liquors and wines so purchased by a wholesaler may be sold at the posted prices.

[(10)/(11)] Discriminatory Agreements.

(A) No person holding a license as a manufacturer-solicitor or
outstate solicitor of spirituous liquor or wine may enter into or partic-
ticipate in any combination or agreement with any person holding a license as a wholesaler for the sale of spirituous liquor or wine which restricts the customers to whom the wholesaler may sell merchandise which s/he owns.

(B) No person holding a license as the wholesaler for the sale of spirituous liquor or wine may enter into or participate in any combination or agreement with any person holding a license as a manufacturer-solicitor or outstate solicitor of spirituous liquor or wine, which restricts the customers to whom the wholesaler may sell merchandise which s/he owns.

[(11)/(12)] Universal Numeric Codes on Invoices. The Universal Numeric Code for Alcoholic Beverages and Missouri’s brand number is to be used to code all wines on all invoices written by any manufacturer, vintner, solicitor, and/or wholesaler licensed by the Division of Alcohol and Tobacco Control of Missouri; this includes invoices written by wholesalers to retail licensee. In addition, the descriptive data for spirituous liquors and wines includes the age or vintage, proof or percent of alcohol by weight, class and type, and brand name. Missouri wholesalers are to include brand name, age, and proof for spirituous liquors and vintage for wines on all invoices to retailers when the vintage creates a cost differential for the same type of wine. Any failure of any person, firm, or corporation licensed under any provisions of Chapter 311, RSMo, to comply in all respects with the rules and any violation by any licensee of these rules may be deemed to be cause for the revocation or suspension of the license of the offending licensee.


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 Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.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 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

PROPOSED AMENDMENT

11 CSR 70-2.280 [Guidelines] Standards for Using Minors in Intoxicating Liquor Investigations. The Division of Alcohol and Tobacco Control is amending the title, purpose, and section (1); adding new section (2); and deleting previous section (2).

PURPOSE: This amendment lays out the standards for the use of minors in on-site as well as off-site investigations.

PURPOSE: This rule establishes [guidelines] standards for the use of minors in intoxicating liquor [for nonintoxicating beer] investigations by a state, local, municipal, or other local law enforcement authority.

(1) On-site Investigations. The following are [guidelines] standards for the use of minors in intoxicating liquor investigations by a state, county, municipal, or other local law enforcement authority where intoxicating liquor is purchased by the minor on or about the licensed premises:

(A) The minor must be eighteen (18) or nineteen (19) years of age;

(B) The minor must have a youthful appearance [and the minor, if a male,]. The minor must not have facial hair or a receding hairline; [if a female, not], or wear excessive makeup or excessive jewelry. The minor, male or female, not, or wear headgear that will obstruct a clear view of the face or hairline. If the minor is wearing headgear or facial coverings required by law, executive order, or any official mandate from the city, county, state, or federal government, or if the business requests the minor to wear certain headgear or facial coverings, the minor shall be permitted to wear such item(s), but must temporarily remove said item(s) upon request by the seller of the intoxicating liquor so as to provide a clear view of the face and hairline.

(C) The minor must carry his or her own valid government-issued identification showing the minor’s correct date of birth and, upon request, produce such identification to the seller of the intoxicating liquor at the licensed establishment; and the state, county, municipal, or other local law enforcement agency [shall] conducting the investigation must search the minor prior to the [operation] investigation to ensure that the minor is not in possession of any other valid or fictitious identification;

(D) The minor [shall] must answer truthfully any questions about his or her age and must not remain silent when asked questions regarding his or her age, nor misrepresent anything in order to induce a sale of intoxicating liquor;

(E) The state, county, municipal, or other local law enforcement agency [are to] must make a copy of the minor’s valid identification showing the minor’s correct date of birth;

(F) [Any attempt by such minor to purchase intoxicating liquor products be videotaped or audiotaped with equipment sufficient] The state, county, municipal, or other local law enforcement agency conducting such investigations must videotape or audiotape any attempt by the minor to purchase intoxicating liquor in a good faith effort to record all statements made by the minor and the seller [of the intoxicating liquor product];

(G) [If the minor is not to be employed by the] No state, county, municipal, or other local law enforcement agency may employ minors on an incentive or quota basis;

(H) If a violation occurs, the state, county, municipal, or other local law enforcement agency [makes] must make reasonable efforts to confront the seller in a timely manner, and within forty-eight (48) hours, contact or take all reasonable steps to contact the owner or manager of the establishment;

(I) The state, county, municipal, or other local law enforcement agency [maintains] must maintain records of each visit to an establishment where a minor is used by the [state, county, municipal, or other local law enforcement] agency during an intoxicating liquor investigation for a period of at least one (1) year following the [incident] investigation regardless of whether a violation occurs at each [visit] investigation, and such records [shall] must, at a minimum, include the following information:

1. An Information and Consent document, completed by the minor in advance of the investigation, on the division form or a similar form approved by the division;

2. An Alcohol and Compliance Buy Checklist, signed by the minor and the peace officer responsible for reviewing the checklist with said minor, on the division form or a similar form approved by the division;

1.3. A photograph of the minor taken immediately prior to the [operation] investigation;
2. A copy of the minor’s valid identification, showing the minor’s correct date of birth;

3. An Information and Consent document, completed by the minor in advance of the operation;

4. The name of each establishment visited by the minor, and the date and time of each visit; and

5. The audiotape or videotape specified in subsection (1)(F) above; and

6. A written Minor Report on the division form or a similar form approved by the division.

(J) The state, county, municipal, or other local law enforcement agency must provide pre-recorded currency to the minor, to be used in the operation. If a violation occurs, said agency should attempt to recover the pre-recorded funds tendered to the seller, or an amount equal thereto, and return any change tendered to the minor, and should further secure and inventory any intoxicating liquor product(s) purchased; and

(K) The state, county, municipal, or other local law enforcement agency, in advance of the operation, must provide pre-recorded currency to the minor who will be used in the operation. Training, at a minimum, must include:

1. Instruction to enter the designated establishment and to proceed immediately to attempt to purchase or be supplied with an intoxicating liquor product(s);

2. Instruction to provide the minor’s valid identification upon request for identification by the seller;

3. Instruction to answer truthfully all questions about age;

4. Instruction not to lie to the seller to induce a sale of intoxicating liquor products;

5. Instruction on the use of pre-recorded currency; and

6. Instruction on the other matters set out in this regulation.

(2) Off-site Investigations. The following are standards for the use of minors in intoxicating liquor investigations by a state, county, municipal, or other local law enforcement authority where intoxicating liquor is delivered or shipped to the minor at a location other than the licensed establishment:

(A) For the purposes of this section, licensees are at all times responsible for the actions and conduct of any employees, agents, or third parties delivering or shipping intoxicating liquor on the licensee’s behalf pursuant to an order by internet, telephone, mail, or any method of ordering other than in person on the licensed premises;

(B) The minor must be eighteen or nineteen years of age;

(C) The minor must have a youthful appearance. The minor must not have facial hair or a receding hairline, or wear excessive makeup or excessive jewelry, or wear headgear that will obstruct a clear view of the face or hairline. If the minor is wearing headgear or facial coverings required by law, executive order, or any official mandate from the state, county, state, or federal government, the minor shall be permitted to wear such item(s), but must temporarily remove said item(s) upon request by the person delivering or shipping the intoxicating liquor so as to provide a clear view of the face and hairline;

(D) The minor must carry his or her own valid government-issued identification showing the minor’s correct date of birth and, upon request, produce such identification to the person delivering or shipping the intoxicating liquor; and the state, county, municipal, or other local law enforcement agency conducting the investigation must search the minor prior to the investigation to ensure that the minor is not in possession of any other valid or fictitious identification;

(E) The minor must answer truthfully any questions about his or her age and must not remain silent when asked questions regarding his or her age, nor misrepresent anything in order to induce a delivery or shipment of intoxicating liquor;

(F) The state, county, municipal, or other local law enforcement agency must make a copy of the minor’s valid identification showing the minor’s correct date of birth;

(G) The state, county, municipal, or other local law enforcement agency conducting such investigations must videotape or audiotape the delivery or shipment of the intoxicating liquor in a good faith effort to record all statements made by the minor and the person delivering or shipping the intoxicating liquor;

(H) No state, county, municipal, or other local law enforcement agency may employ minors on an incentive or quota basis;

(I) If a violation occurs, the state, county, municipal, or other local law enforcement agency must make reasonable efforts to confront the person who delivered or shipped the intoxicating liquor product(s) in a timely manner, and within forty-eight (48) hours, contact or take all reasonable steps to contact the owner or manager of the establishment that sold the intoxicating liquor;

(J) The state, county, municipal, or other local law enforcement agency must maintain records of each delivery or shipment where a minor is used by the agency during an intoxicating liquor investigation for a period of at least one (1) year following the investigation, regardless of whether a violation occurs at each investigation, and such records must, at a minimum, include the following information:

1. An Information and Consent document, completed by the minor in advance of the investigation, on the division form or a similar form approved by the division;

2. An Alcohol and Compliance Buy Checklist, signed by the minor and the peace officer responsible for reviewing the checklist with said minor, on the division form or a similar form approved by the division;

3. A photograph of the minor taken immediately prior to the investigation;

4. A copy of the minor’s valid identification, showing the minor’s correct date of birth;

5. The audiotape or videotape specified in subsection (2)(H) above; and

6. A written Minor Report on the division form or a similar form approved by the division.

(K) The state, county, municipal, or other local law enforcement agency must place the order. The agency does not have to use the minor’s information when placing the order. Regardless of whether a violation occurs, said agency should attempt to recover any funds tendered to the seller and the person delivering or shipping the intoxicating liquor, or an amount equal thereto, and should further secure and inventory any intoxicating liquor delivered or shipped; and

(L) The state, county, municipal, or other local law enforcement agency, in advance of the investigation, must train the minor who will be used in the investigation. Training, at a minimum, must include:

1. Instruction to respond to the designated delivery or shipment spot and proceed immediately to attempt to take possession of or be supplied with the intoxicating liquor product(s);

2. Instruction to provide the minor’s valid identification upon request for identification by the person delivering or shipping the intoxicating liquor;

3. Instruction to answer truthfully all questions about age;

4. Instruction not to lie to the person delivering or shipping the intoxicating liquor to induce a delivery or shipment of intoxicating liquor products;

5. Instructions on the use of pre-recorded currency; and

6. Instruction on the other matters set out in this regulation.
Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 3—Conditions of Provider Participation, Reimbursement, and Procedure of General Applicability

PROPOSED AMENDMENT

13 CSR 70-3.320 Electronic Visit Verification (EVV). The division is amending sections (1), (2), and (3).

PURPOSE: This amendment clarifies the requirement to identify direct care workers through entry of the caregiver’s respective Family Care Safety Registrant number. This amendment also specifies that the type of service performed is identified through the collection of designated procedure codes and associated modifiers.

(1) Definitions.

(L) “Services” shall mean all Medicaid-funded services, as identified by procedure code, or other service required by the state to use EVV including:
   1. Advanced Personal Care;
   2. Chore Services;
   3. Consumer-Directed/Self-Directed Personal Care;
   4. Homemaker Services;
   5. In-Home Respite authorized by the Department of Health and Senior Services;
   6. Personal Care;
   7. Any of the above services reimbursed by a managed care organization; and
   8. Any services where federal or state statute or rule requires EVV, but not specifically listed above.

(2) Provider Agency Responsibilities regarding Electronic Visit Verification.

(B) Provider agencies and self-directed fiscal agents who deliver or administer services through Medicaid funding shall utilize EVV and shall use the procedure code and associated modifiers for all visits. EVV requirements are applicable to services authorized through the Department of Health and Senior Services and the Department of Mental Health.

(F) Provider agencies shall identify all direct care workers by entering the caregiver’s respective Family Care Safety Registrant number as assigned per 19 CSR 30-80.

(I)(F)(G) Manual visit entry shall be utilized only when the EVV system is unavailable or when exigent circumstances, documented by the provider agency, make usage of the system impossible or impractical. Justification documentation must support any instance of human error and such errors must be readily identifiable. Repeated instances of human error are subject to audit. The provider agency shall enter justification documentation into the EVV system, which may include an editor program. Information shall include the date and time of the manual entry, the reason for the entry, and the identification of the person making the entry. The provider agency must pass a manual entry indicator and reason for manual entry to the aggregator solution within documentation timeframes established by the MO Medicaid Audit and Compliance Unit.

(I)(G) Any adjustment or exception requires the provider agency to enter justification documentation into the EVV system, which may include an editor program, within documentation timeframe requirements established by 13 CSR 70-3.030(3)(A)38. Information must include the date and time of the entry and/or update, the reason for the entry and/or update, and the identification of the person making the entry and/or update.

(I)(H) All provider agencies shall report any suspected falsification of EVV data to the Missouri Medicaid Audit and Compliance Unit via the standard reporting process as defined by the Missouri Medicaid Audit and Compliance Unit within two (2) business days of discovery.

(I)(I) All provider agencies must interface EVV data with an aggregator solution designated by the Department of Social Services (DSS) in a format and at a frequency specified by DSS.

(3) Electronic Visit Verification Vendor Responsibilities upon Implementation of an Aggregator Solution.

(L) At a minimum, the EVV system shall meet the following requirements:
   1. Record the type of service performed through collection of the designated procedure code and associated modifiers, including individual tasks as authorized or progress notes dependent on requirements of the authorizing program;
   2. Document and verify the MO HealthNet participant’s identity, either by a unique number assigned to the MO HealthNet participant, biometric recognition, or through alternative technology;
   3. Document and verify the direct care worker by [the assignment of a personal identification number unique to the direct care worker or through alternative technology] the collection of the Family Care Safety Registrant number as assigned per 19 CSR 30-80;
   4. Document the date of services delivered;
   5. Document the time services begin to the minute;
   6. Document the time services end to the minute; and
   7. Document the location in which the services began and ended.


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 more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be
received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.
FISCAL NOTE
PRIVATE COST

I. Department Title: Title 13 - Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 3 – Conditions of Provider Participation, Reimbursement and Procedure of General Applicability

<table>
<thead>
<tr>
<th>Rule Number and Title:</th>
<th>13 CSR 70-3.320 Electronic Visit Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Rulemaking:</td>
<td>Amendment</td>
</tr>
</tbody>
</table>

II. SUMMARY OF FISCAL IMPACT

<table>
<thead>
<tr>
<th>Estimate of the number of entities by class which would likely be affected by the adoption of the rule:</th>
<th>Classification by types of the business entities which would likely be affected:</th>
<th>Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:</th>
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</thead>
<tbody>
<tr>
<td>1,500</td>
<td>Personal Care Service Providers</td>
<td>$0</td>
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<tr>
<td>60</td>
<td>Electronic Visit Verification Vendors</td>
<td>$300,000</td>
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</tbody>
</table>

III. WORKSHEET

Any cost related to development, modification, or testing of Electronic Visit Verification (EVV) systems shall be the responsibility of the EVV vendor. Because of this, there is no anticipated cost to personal care service providers.

IV. ASSUMPTIONS

There is a wide range of capability among EVV vendors. Some may be able to accommodate the acceptance and transfer of FCSR data at no additional expense, others may need to update coding or add a specialized field. The estimate indicated includes an aggregated average of both scenarios, with the potential cost per vendor falling anywhere between $0 - $10,000.
Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 4—Conditions of Participant Participation, Rights, and Responsibilities

PROPOSED RESCISSION

13 CSR 70-4.051 Copayment for Pharmacy Services. This rule established the regulatory basis for the MO HealthNet requirement of eligible participant copayment when receiving covered pharmacy services.

PURPOSE: This rule is being rescinded because the current copay/cost sharing structure does not comply with federal regulations. Continued application of pharmacy copays/cost sharing puts the state at risk of disallowance of federal funding for a portion of the pharmacy program.


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 Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 5—Nonemergency Medical Transportation (NEMT) Services

PROPOSED AMENDMENT

13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services. The division is amending section (1).

PURPOSE: This proposed amendment will allow MO HealthNet participants to receive transportation services to a pharmacy to receive vaccinations during a scheduled appointment.

(1) The MO HealthNet Division (MHD) or its contractor shall reimburse eligible participants or nonemergency medical transportation (NEMT) providers for medically necessary transportation only if a participant does not have access to transportation services that are available free of charge.

(A) The participant must have an appointment for any medical treatment that is approved by MHD.

(B) MHD will not reimburse eligible participants or NEMT providers for nonemergency medical transportation to a pharmacy or to any location where the purpose of the nonemergency transportation is to fill a pharmaceutical prescription. MHD will reimburse eligible participants or NEMT providers for nonemergency medical transportation to a pharmacy for an MHD participant to receive a scheduled vaccination.

(I) (B) (C) Alternative transportation services that may be provided free of charge include, but are not limited to, private vehicles, volunteers, relatives, a designated legal representative, an individual involved in the resident’s care, or transportation services provided by nursing facilities or other residential centers. Participants must not have access to free transportation in order to be eligible for reimbursement under this section.


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 Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 14—Election Contributions

PROPOSED AMENDMENT

15 CSR 30-14.010 Campaign Contribution Limits. The secretary of state is amending subsections (1)(A), (B), and (C).

PURPOSE: This amendment updates the limits of contributions that a political party may accept from any person or committee.

(1) Notwithstanding Article III, Section 2(c), the campaign contribution limits set forth in Article VIII, Section 23.3, as adjusted pursuant to Article VIII, Section 23.3(18) are as follows:

(A) By any person, other than the candidate, to a candidate running for governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, office of state senator, office of state representative or any other state of judicial office under Article VIII, Section 23.3(1), two thousand [six hundred fifty dollars ($2,650)] eight hundred twenty-five dollars ($825);

(B) By any person to a political party for any state, county, municipal, district, ward, or township level election under Article VIII, Section 23.3(2)(a), [twenty-five thousand five hundred fifty dollars ($25,550)] twenty-seventy thousand four hundred dollars ($27,400); and

(C) By any committee to a political party for any state, county, municipal, district, ward, or township level election under Article VIII, Section 23.3(2)(b), [twenty-five thousand five hundred fifty dollars ($25,550)] twenty-seventy thousand four hundred dollars ($27,400).


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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  Division 2110—Missouri Dental Board  Chapter 2—General Rules

PROPOSED AMENDMENT

20 CSR 2110-2.050 Licensure by Examination—Dental Hygienists. The board is amending section (5).

PURPOSE: This proposed change clarifies the clinical examinations accepted and allows for manikin-based clinical exams to be accepted for dental hygiene licensure.

(5) Effective January 1, 2023, competency examinations shall be administered by any of the following or by any future appellation of the following: the Central Regional Dental Testing Service (CRDTS), CDCA-WREB-CITA, the Southern Regional Testing Agency (SRTA), or by an individual state dental board. The tested procedures are to be patient based, manikin based, or a combination of both.


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 Dental Board, PO Box 1367, Jefferson City, MO 65102, by facsimile at (573) 751-8216, or via email at dental@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 2—Licensure Requirements

PROPOSED AMENDMENT

20 CSR 2165-2.010 Hearing Instrument Specialist in Training (Temporary Permits). The board is amending sections (1), (2), and (4), deleting sections (6), (7), and (8), renumbering as necessary and amending newly numbers sections (7) and (8).

PURPOSE: This amendment clarifies the requirements to obtain a temporary permit, procedures during the training period, and the number of training hours required and hours that must be earned while holding a temporary permit.

(1) Any individual seeking to develop the skills and training necessary to obtain a [license] temporary permit under section 346.075, RSMo, shall register supervision and apply for a temporary permit to engage in the practice of fitting hearing instruments as defined by section 346.010(11), RSMo. An application for registration of supervision shall be made on a form provided by the board and must be accompanied by the appropriate fee as prescribed in 20 CSR 2165-1.020. The application [shall] is not [be] considered [proper and final] complete until qualifications of the supervisor match the criteria as prescribed in 20 CSR 2165-2.020.

(2) An approved temporary permit [shall entitle] entities the hearing instrument specialist in training to engage in the practice of fitting hearing instruments as defined by section 346.010(11), RSMo, for a period of one (1) year.

(A) If a person holding a permit [has not passed the examination] is not licensed within the one- (1)-year period, the hearing instrument specialist in training may renew the permit once for a period of six (6) months upon payment of the applicable fee as prescribed in 20 CSR 2165-1.020.

(B) The six- (6)-month [renewal term shall commence] permit extension will immediately follow[ing] the expiration of the temporary permit, regardless of when the [renewal] application is received by the board,[ such that all] A hearing instrument specialist in training shall not hold a temporary permit beyond eighteen (18) months from the date the temporary permit was originally issued.

(4) If the hearing instrument specialist in training ceases to practice under an approved supervisor and/or changes supervision, [s/he] the specialist in training shall notify the board by filing a change of supervision form and paying the change of supervision fee as defined in 20 CSR 2165-1.020. [The change of supervision is subject to review pursuant to 20 CSR 2165-2.010(2).]

(6) The practice of fitting hearing instruments by a hearing instrument specialist in training shall be performed according to the registered supervisor’s order, control, guidance, and professional responsibility.

(7) A hearing instrument specialist in training shall be trained in the following procedures during his/her training period:

(A) Air conduction thresholds, with masking where appropriate;
(B) Bone conduction thresholds, with masking where appropriate;
(C) Speech reception thresholds, with masking where appropriate, utilizing test equipment with a calibrated circuit;
(D) Word recognition scores, with masking where appropriate, utilizing test equipment with a calibrated circuit;
(E) A verification of hearing instrument benefit;
(F) Ear impressions; and
(G) Visual otoscopy.

(8) As a part of the training of a hearing instrument specialist in training, s/he shall attend classes that would be approved for a licensee to renew his/her license under 20 CSR 2165-2.050.

(A) Three (3) hours of such training shall be completed every six (6) months.

(B) A person in training less than six (6) months need not complete such training.

(C) Proof of completion of such training shall be attached to the attestation form completed by the registered supervisor.
Upon completion of any registered supervised experience, the hearing instrument specialist in training shall request an attestation form from the board to be completed by the registered supervisor and returned to the board.

The hearing instrument specialist in training must be identified by a temporary permit number and the words “hearing instrument specialist in training,” “trainee,” or “temporary permit holder” in/on any sales contract or other documents available to the consumer, including marketing and referring to the temporary permit holder. Initials or acronyms representing these titles shall not be used.

A temporary permit is not required for students attending a hearing sciences program at an accredited college or university who are participating in a practicum to complete that program. The student must be under the direct supervision of a registered supervisor. Direct supervision shall mean means the licensed hearing instrument specialist is on the premises where the patient is being treated and is quickly and easily available and the patient has been examined by a licensed hearing instrument specialist at such times as acceptable hearing instrument specialist practice requires. Such students shall not identify themselves as a “hearing instrument specialist,” “hearing instrument specialist in training,” or a “temporary permit holder.”

The following documents must be on file for an application to be considered complete:

- Completed original application that must be legible (printed or typed), signed, and notarized.
- Appropriate fee.
- Proof of acceptable educational credentials as evidenced by an official transcript sent directly to the board showing proof of educational requirements pursuant to section 346.050, RSMo.
- A current, standard passport photo, one and one-half inches by two inches (1.5” × 2.0”), must be attached to the application.
- Verification of licensure must be submitted by the state where the applicant has ever been licensed. Verification of licensure shall contain information concerning the requirements in force at the time the applicant was licensed, the method of licensing including examination results, date of original licensure, and current status of the applicant’s license.

All forms must be completed and received by the board by the established deadline.

For an applicant who elects to apply for a license and completes the written and/or practical examinations prior to the completion of his/her educational program, the board will not issue a license until such time as the applicant completes his/her education and an official transcript verifying a conferred degree is sent directly to the board by the school and all other licensure requirements are met.

Applications for licensure are valid for a period of three years from the date the application is received in the board’s office. If an applicant has not completed the application process within the three- (3-) year period, the applicant must complete a new application for licensure, submit all required documentation, and pay all applicable fees.

The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

This amendment clarifies the procedure for applying for licensure as a hearing instrument specialist and/or a hearing instrument specialist in training.

**Proposed Rules**

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 2165—Board of Examiners for Hearing Instrument Specialists**

**Chapter 2—Licensure Requirements**

**PROPOSED AMENDMENT**

20 CSR 2165-2.025 Application Procedures. The board is adding new section (3), deleting sections (2) and (4), renumbering as necessary and amending section (1) and newly numbered sections (2) and (4).

**Purpose:** This amendment clarifies the procedure for applying for licensure as a hearing instrument specialist and/or a hearing instrument specialist in training.


**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 or on the board’s website www.pr.mo.gov/hearing.asp.

Applications for licensure must be made on the forms provided by the board. Application forms may be obtained by requesting them from the Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102 or on the board’s website www.pr.mo.gov/hearing.asp.

An application must be legible (printed or typed), signed, notarized, and accompanied by the appropriate fees. The fee must be in the form of a cashier’s check, personal check, or money order.

The following documents must be on file for an application to be considered complete:

- Completed original application that must be legible (printed or typed), signed, and notarized.
- Appropriate fee.
- Proof of acceptable educational credentials as evidenced by an official transcript sent directly to the board showing proof of educational requirements pursuant to section 346.055, RSMo.
- A current, standard passport photo, one and one-half inches by two inches (1.5” × 2.0”), must be attached to the application.
- Verification of licensure must be submitted by the state where the applicant has ever been licensed. Verification of licensure shall contain information concerning the requirements in force at the time the applicant was licensed, the method of licensing including examination results, date of original licensure, and current status of the applicant’s license.

All forms must be completed and received by the board by the established deadline.

For an applicant who elects to apply for a license and completes the written and/or practical examinations prior to the completion of his/her educational program, the board will not issue a license until such time as the applicant completes his/her education and an official transcript verifying a conferred degree is sent directly to the board by the school and all other licensure requirements are met.

Applications for licensure are valid for a period of three years from the date the application is received in the board’s office. If an applicant has not completed the application process within the three- (3-) year period, the applicant must complete a new application for licensure, submit all required documentation, and pay all applicable fees.
Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2165—Board of Examiners for Hearing Instrument Specialists
Chapter 2—Licensure Requirements

PROPOSED AMENDMENT

20 CSR 2165-2.060 License Renewal. The board is deleting sections (4), (5), and (7), renumbering as necessary, and amending section (3) and newly renumbered sections (4), (5), and (6).

PURPOSE: This amendment clarifies the license renewal requirements and procedures.

(3) Each person who engages in the fitting and selling of hearing instruments shall, on or before the renewal date, pay the required fees, present annual receipts of calibration of all audiometers and obtain satisfactory evidence that continuing education requirements have been completed. No person whose license has expired and who applies for renewal will be required to submit to an examination as a condition of renewal, if the renewal application is made within two (2) years from the date of expiration pursuant to 20 CSR 2165-2.050.

(4) Prior to January 1, 2004, the following guidelines govern the attendance of educational programs for annual license renewal:

(A) The licensee shall provide evidence of attendance upon request of the board. Every licensee shall maintain full and complete records of all approved continuing education hours earned for the two (2) previous reporting periods in addition to the current reporting period. Such records shall include all attendance certificates of approved continuing education hours. The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall provide all approved continuing education certificates to the board within fifteen (15) days of the board’s request of such documentation;

(B) This evidence must demonstrate that the licensee attended a minimum of twelve (12) hours of approved educational hearing instrument programs during the current reporting period; and

(C) The continuing education reporting period shall consist of a one (1)-year period. It shall begin each year on January 1 and end on December 31 of that same year.

(5) Effective January 1, 2004, the following guidelines govern the attendance of educational programs for biennial license renewal:

(A) The licensee shall provide evidence of attendance upon request of the board. Every licensee shall maintain full and complete records of all approved continuing education hours earned for the two (2) previous reporting periods in addition to the current reporting period. Such records shall include all attendance certificates of approved continuing education hours. The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall provide all approved continuing education certificates to the board within fifteen (15) days of the board’s request of such documentation;

(B) This evidence must demonstrate that the licensee attended a minimum of twenty-four (24) hours of approved educational hearing instrument programs during the current reporting period;

(C) The continuing education reporting period shall consist of a two (2)-year period. It shall begin on January 1 of even numbered years and end on December 31 of the following year.

(6)(4) When an organization owns or leases all or a portion of the audiometers utilized by the hearing instrument specialist employed, the organization must submit annual receipt of calibration [as required in] pursuant to 20 CSR 2165-2.060(3). A hearing instrument specialist employed with such an organization who utilizes only this equipment may reference this annual receipt as evidence of compliance with his/her annual calibration requirements.

(7) The first twelve (12) hours of the continuing education requirements will be waived during the initial year of licensure as a hearing instrument specialist. Effective January 1, 2004, the new licensee will be required to obtain the remaining twelve (12) hours of the twenty-four (24)-hour continuing education requirement should the licensee become licensed in the first year of the continuing education reporting period. If the new licensee becomes licensed in the second year of the continuing education reporting period the continuing education requirement shall be waived for that reporting period.

(8)(5) Reactivation of Non-Current License.

(A) Any hearing instrument specialist license, which is not renewed prior to the expiration date of the license, shall become non-current. Persons with non-current licenses shall not engage in
the fitting of hearing instruments.

(B) In order to reactivate a non-current license the hearing instrument specialist must submit the following:
1. Renewal application;
2. Renewal fee;
3. Reactivation fee;
4. Annual calibration receipt;
5. Prior to January 2004, proof of twelve (12) hours of attendance at an approved continuing education program(s). These hours must have been obtained during the preceding twelve (12) months from the date of application for reactivation;
6. [Effective January 2004, proof of twenty-four (24) hours of attendance at an approved continuing education program(s)] Proof of the required continuing education hours pursuant to 20 CSR 2165-2.050. These hours must have been obtained during the preceding twenty-four (24) months from the date of application for reactivation.

(C) Hearing instrument specialists may reactivate a non-current license within two (2) years of its expiration date without submitting to an examination. Any hearing instrument specialist license not reactivated within two (2) years of the expiration date [shall become void] must complete a new application for licensure, submit all required documentation, and pay all applicable fees.

[(9)] Inactive License.

(A) A hearing instrument specialist may choose to place his/her license on an inactive status by signing an affidavit stating that s/he will not engage in the practice [or be involved in any aspect, administrative or otherwise, of the practice] of fitting hearing instruments in Missouri, which would include serving as a supervisor of a hearing instrument specialist in training, and submitting that affidavit with the renewal application and the appropriate fee to the board office. The license issued to all these applicants shall be stamped “inactive.”

(B) In order for a hearing instrument specialist to activate an inactive license, the licensee shall submit to the board office—
1. The renewal application;
2. The balance of the active renewal fee. No fee will be prorated;
3. Evidence that the licensee has completed the required continuing education credits [in accordance with 20 CSR 2165-2.060(5)] pursuant to 20 CSR 2165-2.050 for each renewal cycle that the license is inactive. These required approved continuing education credits shall not exceed a total of fifty (50) hours. These hours must have been obtained during the preceding twenty-four (24) months from the date of application for restoration to active status;
4. Annual calibration receipt;
5. The license stamped “inactive”; and
6. Registered supervisors must submit proof of current board certification.

(C) The board will issue an inactive license, which shall be effective until the next regular renewal date. No penalty fee shall apply.


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) 326-8556, 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 7—Licensing

PROPOSED AMENDMENT

20 CSR 2220-7.010 General Licensing Rules. The Missouri Board of Pharmacy is amending sections (1)–(3) of this rule.

PURPOSE: This amendment modernizes rule language, modifies the definition of an accredited pharmacy school/college, and revises the timeframes for submitting a completed license application.

(1) Definitions.

(A) Accredited school/college of pharmacy—a school or college of pharmacy accredited by ACPE and located in a U.S. state or territory.

(B) A pharmacist license application shall be deemed invalid if the applicant fails to submit or make available via NABP all information required to complete the application within six (6) months/ ninety (90) days after the application is received by the board, with the exception of NAPLEX or MPJE examination scores.

(3) [No duplicate license or registration shall be issued except upon the return of the original or upon an affidavit from the licensee that the certificate has been lost, stolen, or destroyed. The duplicate certificate, license, or registration fee shall accompany the affidavit] No duplicate license, certificate, or registration shall be issued until the duplicate license fee has been paid and the most recent license, registration, or certificate has been returned to the board office or the licensee/registrant/certificate holder submits an attestation under penalty of perjury that the license, certificate, or registration has been lost, stolen, or destroyed.


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
Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2220—State Board of Pharmacy
Chapter 7—Licensing

PROPOSED AMENDMENT

20 CSR 2220-7.030 Pharmacist Licensure by Examination. The Missouri Board of Pharmacy is amending sections (1)–(4) of this rule.

PURPOSE: This amendment modernizes rule language, incorporates current application procedures from the National Association of Boards of Pharmacy, and clarifies requirements/restrictions for taking and passing the required licensure examinations.

(1) Examination Applications.
   (A) Graduates of an accredited college/school of pharmacy accredited by the Accreditation Council for Pharmacy Education (ACPE) or an equivalent federally-recognized accrediting body may apply to the board for licensure as a Missouri pharmacist by examination. Applications shall be submitted on forms provided by the board with the examination application fee. The application [shall] must be notarized and [shall] include:
      1. Satisfactory evidence that the applicant has graduated from an accredited school/college of pharmacy that meets the requirements of this rule;
      2. Proof [of fingerprinting] that the applicant has completed a state and federal criminal history background check, as required by 20 CSR 2220-7.090; and
      3. Proof of one thousand five hundred (1,500) hours of pharmacy practice experience in activities related to the practice of pharmacy as approved by the board or connected with [pharmaceutical or patient-centered care through the interpretation and evaluation of prescription orders; the compounding, dispensing, labeling of drugs and devices pursuant to prescription orders; the proper and safe storage of drugs and devices and the maintenance of proper records of them; the administration of immunizations; or consultation with patients and other health care practitioners about the safe and effective use of drugs and devices. Pharmacy practice experience earned in another state must be certified directly to the board from the state or governmental pharmacist licensing entity where the hours were earned;—
         A. Patient-centered pharmaceutical care or pharmacist clinical services;
         B. Evaluating or interpreting prescriptions or medication orders;
         C. Compounding, dispensing, and labeling of drugs and devices;
         D. The proper and safe storage of drugs and devices and appropriate record keeping for them;
         E. Medication administration;
         F. Medication therapy review/management; and
         G. Consulting with patients and other health care practitioners about the safe and effective use of drugs and devices. Pharmacy practice experience earned in another state must be certified directly to the board from an accredited school/college of pharmacy or the state or governmental pharmacist licensing entity where the hours were earned. Alternatively, the board may, in its discretion, accept proof of graduation and the required pharmacy practice experience hours from National Association of Boards of Pharmacy (NABP). Graduates of an accredited school/college of pharmacy located in a U.S. state or territory shall be deemed compliant with the pharmacy practice experience hours required by this rule and are not required to submit additional proof of pharmacy practice experience, unless otherwise requested by the board or the board’s authorized designee.
   (B) The board shall review the application and determine the candidate’s eligibility to test. Applications shall be deemed incomplete until all requirements of this rule have been met. All application fees [shall be] are non-refundable.

   (2) Test Scheduling. When an application has been completed, the board [shall] will notify the applicant and/or NABP if he/she is eligible for the North American Pharmacist Licensure Examination (NAPLEX) and/or the Multistate Pharmacy Jurisprudence Examination (MPJE) [automated examinations]. If eligible, the applicant shall schedule testing dates for both the NAPLEX and MPJE, as required by the National Association of Boards of Pharmacy (NABP). The applicant [shall] apply to the board for examination/licensure and comply with all registration, application, testing, and scheduling requirements established by NABP for the examinations, and [shall be responsible for completing any necessary application(s) and] payment of any fee(s) required by NABP for scheduling/taking the examination(s).

   (A) To avoid forfeiture of eligibility, the applicant must take the examination(s) within three hundred sixty-five (365) days after having been determined eligible by the board [for examination] to test. If the applicant does not take the examination within three hundred sixty-five (365) days, the applicant [shall be required to] must reapply to the board for examination/licensure and [again] pay the examination application fee again.

   (3) Testing. Applicants for pharmacist licensure by examination [shall] must successfully pass both the NAPLEX and the MPJE. To successfully pass, a minimum score of seventy-five (75) is required for each of the required examinations. [Upon approval by the board and successful completion of the NAPLEX and MPJE, the board shall issue a pharmacist license to the applicant] Applicants must pass both the NAPLEX and MPJE exams within two (2) years of submitting their application for licensure by examination to the board. Failure to achieve passing scores on both exams in this two (2) year period will result in the license application being rejected as incomplete. The applicant may reapply for licensure and restart the examination process, except as otherwise provided by subsection (4)(A) or other provisions of Missouri law.

   (4) Retesting. If an applicant fails to achieve a score of seventy-five (75) on both the NAPLEX and the MPJE, the candidate shall retake and pass the failed examination(s) before a license can be issued. [Any applicant who fails to achieve a passing score on either of the examinations shall be required to] Applicants seeking to retake an examination must file an application for reexamination with the board and pay the examination application fee each time. All examinations are scored independently and may be retaken independently. [The board or its authorized designee shall review and approve any applicant that fails the NAPLEX or MPJE [two (2)] three (3) consecutive times prior to the applicant being declared eligible to retest. A candidate [shall] will not be declared eligible to retest under this subsection until approved by the board. In lieu of disapproval, the board may establish a date after which the candidate shall be eligible to retest or may establish additional training or study requirements [to] that must be completed before authorization to retest is granted. Applicants who fail the NAPLEX five (5) times shall not be declared eligible to retake the NAPLEX. Applicants

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who fail the MPJE five (5) times shall not be declared eligible to retake the MPJE unless otherwise approved by the board for extenuating circumstances.

(B) Application for reexamination [shall] must be made on a form provided by the board. [Fees for reexamination shall be] Examination/reexamination fees are non-refundable.


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 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 2—Licensure Requirements

PROPOSED AMENDMENT

20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities. The committee is amending section (5), adding new section (6) and renumbering as necessary.

PURPOSE: The proposed amendment limits the number of supervisees a supervisor can have under their supervision and adds language regarding supervision contracts.

(5) [The practice of social work by the supervisee shall be performed under the supervisor’s control, oversight, guidance, and full professional responsibility. This shall include all applicable areas of practice including, but not limited to:] A licensed supervisor shall have no more than six (6) persons obtaining post-degree supervised experience for licensure under their supervision at any one time. Any supervisor wishing to petition the committee for additional supervisees may do so by submitting a written request to the committee explaining the reason for providing supervision to more than six (6) individuals.

(A) General orientation of the setting’s policies and procedures;

(B) Providing best practice strategies for professional social work practice;

(C) Preliminary screening of all potential clients of the supervisee to determine if the supervisee is capable of successful assessment, intervention, and referral;

(D) Thorough knowledge of the supervisee’s entire workload;

(E) Thorough knowledge of each assignment or case, including assessment, diagnosis, and intervention;

(F) Ongoing evaluation and modification of the supervisee’s workload as necessary;

(G) Allowable supervision.

1. A minimum of two (2) hours every two (2) weeks of individual face-to-face supervision by the supervisor.

2. However, individual face-to-face supervision may be consolidated for up to four (4) weeks for a total of four (4) hours of individual face-to-face supervision per four (4)-week period. These hours shall be included in the total number of supervised hours required as set forth in the rules promulgated by the committee.

3. Fifty percent (50%) of supervision may be group supervision. For the purpose of this rule, group supervision may consist of at least three (3), and no more than six (6), supervisees.

4. The use of electronic communications is acceptable for meeting supervision requirements of this rule only if the ethical standards for confidentiality are maintained and the communication is verbally and visually interactive between the supervisor and the supervisee.

(H) Acceptable safeguards shall be built into the contract if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor’s evaluation of the supervisee.

(I) When the proposed supervisor is not a staff member of...
the supervisee’s agency, the supervisor shall have a written agreement from the agency administration as to the purpose and content of the desired supervision and the supervisor’s specific role, responsibilities, and limitations. The supervisor is also responsible for learning agency functions and policies so that any supervisory suggestions are constructive and realistic within agency purposes and resources.

(J) When there is a change in the setting or supervisor, the supervisor is responsible for notifying the committee and submitting a change of status form to the committee. Such change of status form must be received by the committee within fourteen (14) days of the change;

(K) If supervision is terminated by either party, the supervisor is responsible for notifying the committee and submitting a termination form to the committee. Such termination form must be received by the committee within fourteen (14) days of termination; and

(L) The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee’s practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process.

(6) The practice of social work by the supervisee shall be performed under the supervisor’s control, oversight, guidance, and full professional responsibility. This shall include all applicable areas of practice including, but not limited to:

[A] General orientation of the setting’s policies and procedures;
[B] Providing best practice strategies for professional social work practice;
[C] Preliminary screening of all potential clients of the supervisee to determine if the supervisee is capable of successful assessment, intervention, and referral;
[D] Thorough knowledge of the supervisee’s entire workload;
[E] Thorough knowledge of each assignment or case, including assessment, diagnosis, and intervention;
[F] Ongoing evaluation and modification of the supervisee’s workload as necessary;

1. A minimum of two (2) hours every two (2) weeks of individual face-to-face supervision by the supervisor.

2. However, individual face-to-face supervision may be consolidated for up to four (4) weeks for a total of four (4) hours of individual face-to-face supervision per four- (4) week period. These hours shall be included in the total number of supervised hours required as set forth in the rules promulgated by the committee.

3. Fifty percent (50%) of supervision may be group supervision. For the purpose of this rule, group supervision may consist of at least three (3), and no more than six (6), supervisees.

4. The use of electronic communications is acceptable for meeting supervision requirements of this rule only if the ethical standards for confidentiality are maintained and the communication is verbally and visually interactive between the supervisor and the supervisee;

[H] Acceptable safeguards shall be built into the contract if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor’s evaluation of the supervisee;

(I) When the proposed supervisor is not a staff member of the supervisee’s agency, the supervisor shall have a written agreement from the agency administration as to the purpose and content of the desired supervision and the supervisor’s specific role, responsibilities, and limitations. The supervisor is also responsible for learning agency functions and policies so that any supervisory suggestions are constructive and realistic within agency purposes and resources. If a proposed supervisor is both the supervisor for employment purposes and for registered supervision then the contract shall—

1. Specifically state such; and
2. Address the details of the dual relationship;

(J) When there is a change in the setting or supervisor, the supervisor is responsible for notifying the committee and submitting a change of status form to the committee. Such change of status form must be received by the committee within fourteen (14) days of the change;

(K) If supervision is terminated by either party, the supervisor is responsible for notifying the committee and submitting a termination form to the committee. Such termination form must be received by the committee within fourteen (14) days of termination; and

(L) The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee’s practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process.

[(6)](7) Within fourteen (14) days of the termination of the supervised experience, the supervisor shall complete and maintain the committee’s Attestation of Supervision Form, summarizing the supervisee’s performance and level of compliance with the requirements for supervised social work experience for a period of forty-eight (48) months.

(A) If the supervisor does not recommend the supervisee for licensure or recommends licensure with reservation, the Attestation of Supervision Form shall be supplemented with a detailed statement explaining why recommendation for licensure without reservation cannot be made. Exhibits may be attached to the statement of explanation.

(B) A copy of the statement of explanation, and any exhibits, shall be delivered to the supervisee.

(C) The supervisee may respond to the statement of explanation within fourteen (14) days, in writing or by making a request for an appearance before the committee.

(D) The supervisor and the supervisee shall promptly respond to any inquiry made by the committee or at its direction regarding the Attestation of Supervision Form or the statement of explanation.

[(7)](8) A licensed master social worker under registered supervision may be employed in the supervisor’s private practice setting or in the private practice of another. In those instances, the supervisor may bill clients for services rendered by the licensed master social worker but under no circumstances shall the licensed master social worker bill the clients directly for services rendered. The only exception to this section shall be when reimbursement for services is provided under Title XIX (Medicaid) through the Missouri Department of Social Services, MO HealthNet Division. A licensed master social worker under registered supervision may accept a Medicaid reimbursement number and services may be billed through that number, provided such reimbursement is administered through the professional setting employing the licensed master social worker, and not directly paid to the licensed master social worker. The professional setting shall not include private practice in which the licensed master social worker operates, manages, or has an ownership interest in the private practice.

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 State Committee for Social Workers, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by fax at (573) 526-3489, or via email at lcsw@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.
Orders of Rulemaking

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the Missouri Register; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the Code of State Regulations.

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

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

ORDER OF RULEMAKING

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

3 CSR 10-7.437 is amended.

This rule establishes the special deer harvest restrictions for certain counties and is exempted by section 536.021, RSMo 2016, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.437 by establishing deer harvest limits and restrictions.

3 CSR 10-7.437 Deer: Antlerless Deer Hunting Permit Availability

(2) Firearms Deer Hunting Season.

(A) Resident and Nonresident Firearms Antlerless Deer Hunting Permits are not valid in the counties of Atchison, Butler, Carter, Dunklin, Mississippi, New Madrid, Pemiscot, Scott, and Wayne.

(B) Only one (1) Resident or Nonresident Firearms Antlerless Deer Hunting Permit per person may be filled in the counties of: Andrew, Bollinger, Holt, Iron, Nodaway, Reynolds, and Stoddard.


SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo 2016.
3 CSR 10-7.600 Deer Management Assistance Program

(1) Landowners with property located in any county may enroll property in the department-sponsored deer management assistance program in accordance with the following:

(A) An enrolled property shall be at least five hundred (500) acres, except inside the boundaries of cities or towns, an enrolled property shall be at least forty (40) acres. Individual parcels of land, regardless of ownership, may be combined to satisfy the acreage requirement for an enrolled property; provided, each parcel of land is no more than one half (0.5) air miles from the boundary of another parcel being combined to form an enrolled property. An enrolled property, or parcels being combined to create an enrolled property, may be dissected by public roads.

(B) Landowners shall submit an application and have a deer management plan approved by the department to enroll property in the program. Application and deer management plan approval shall be on an annual basis.

(C) Landowners shall submit the following information to the department for any person who is authorized to obtain firearms deer management assistance program permit(s) for use on an enrolled property, or the portion of an enrolled property under their control: Name, domicile address, e-mail, phone number, conservation identification number, Social Security number, and property identification number assigned to the enrolled property by the department.

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo 2016.

This amendment was filed May 20, 2022, becomes effective July 1, 2022.

3 CSR 10-12.109 Closed Hours is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 475). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

3 CSR 10-12.110 Use of Boats and Motors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 475-476). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

3 CSR 10-12.115 Bullfrogs and Green Frogs is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 476-477). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.
3 CSR 10-12.125 Hunting and Trapping is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 477-478). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

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

ORDER OF RULEMAKING

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

3 CSR 10-12.135 Fishing, Methods is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 478). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

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

ORDER OF RULEMAKING

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

3 CSR 10-12.140 Fishing, Daily and Possession Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 478-481). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

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

ORDER OF RULEMAKING

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

3 CSR 10-12.145 Fishing, Length Limits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on April 1, 2022 (47 MoReg 482). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comment from one (1) individual who asked for clarification on the total number of crappie included in the daily limit and the number of crappie included in the daily limit greater than nine inches (9") in total length.

RESPONSE: The proposed regulation on Mozingo Lake would increase the total daily limit of crappie from fifteen (15) to the statewide limit of thirty (30) fish. Of those thirty (30) crappie, no more than fifteen (15) may be greater than nine inches (9") in total length. No changes have been made to the amendment as a result of this comment.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 50—Division of Workers’ Compensation
Chapter 5—Determination of Disability

ORDER OF RULEMAKING

By the authority vested in the Division of Workers’ Compensation under section 287.650, RSMo 2016, the division withdraws a proposed amendment as follows:

8 CSR 50-5.007 Evidence of Occupational Disease Exposure for First Responders is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on February 1, 2022 (47 MoReg 119-121). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Division of Workers’ Compensation received comments on this proposed amendment. Comments questioned the division’s authority for the amendment, the fiscal estimates contained within the amendment, and the necessity and fairness of the amendment. Comments also questioned whether the amendment applied retroactively.

RESPONSE: The state of emergency announced in response to the COVID-19 pandemic ended on December 31, 2021, and Missouri has adopted an endemic response to the COVID virus. The division is therefore withdrawing the rulemaking.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 1—Organization of Department of Revenue

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.190.9, RSMo Supp. 2021, and section 536.021.10, RSMo 2016, the director amends a rule as follows:
12 CSR 10-1.020 Letter Rulings is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 1, 2022 (47 MoReg 317). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 26—Dealer Licensure

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 301.553 and 301.558, RSMo Supp. 2021, the director adopts a rule as follows:

12 CSR 10-26.231 Maximum Dealer Administrative Fees is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on March 1, 2022 (47 MoReg 318). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2263—State Committee for Social Workers
Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2021, the committee amends a rule as follows:

20 CSR 2263-2.030 Application for Licensure as a Social Worker is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 1, 2022 (47 MoReg 375). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.
Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 140—Division of Energy  
Chapter 4—Wood Energy Credit  

NON-SUBSTANTIVE CHANGE REQUEST  

The Missouri Department of Natural Resources’ Division of Energy requests that the secretary of state make a non-substantive change to the following rule in accordance with the provisions of section 536.032, RSMo. Rule 10 CSR 140-4.010, Wood Energy Credit, contains several references to the Missouri Department of Economic Development. Executive Order 19-01, which implemented 10 CSR 140-4.010, transferred the Division of Energy from the Missouri Department of Economic Development to the Missouri Department of Natural Resources, along with “…all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges ….” Accordingly, the Missouri Department of Natural Resources’ Division of Energy requests all references to “Missouri Department of Economic Development” and “Department of Economic Development” that appear in 10 CSR 140-4.010 be replaced with the “Missouri Department of Natural Resources” or “Department of Natural Resources,” respectively.

References to be changed are found in 10 CSR 140-4.010(2) (three appearances), 10 CSR 140-4.010(3) (two appearances), and 10 CSR 140-4.010(5) (one appearance).

This change will appear in the July 31, 2022, update to the Code of State Regulations.
Notice of Periodic Rule Review

The General Assembly has instituted an ongoing five- (5-) year rolling review of existing rules that will begin July 1, 2022, as set forth in section 536.175, RSMo. The following entities will begin this process for rules promulgated within their designated Title of the Code of State Regulations with a sixty- (60-) day public comment period. The Code of State Regulations may be viewed at http://www.sos.mo.gov/adrules/csr/csr.asp.

Titles Reviewed Beginning July 1, 2022:

- Title 11 – Department of Public Safety
- Title 12 – Department of Revenue
- Title 13 – Department of Social Services
- Title 14 – Department of Corrections

The Public Comment Process: Entities with rules in Titles 11-14 of the Code of State Regulations may receive comments from the public for any rule within these titles.

- Comments must be received within sixty (60) days of July 1, 2022. (August 31, 2022)
- Comments must identify the commenter.
- Comments must identify the specific rule commented upon.
- Comments must be directly associated with a specified rule.
- Comments must be submitted to the following agency designee:

**Title 11 – Department of Public Safety**
Nathan Weinert
General Counsel
PO Box 749
Jefferson City, MO 65102
dpsinfo@dps.mo.gov

**Title 12 – Department of Revenue**
Chloe Robinette
PO Box 475
Jefferson City, MO 65105-0475
chloe.robinette@dor.mo.gov

**Title 13 – Department of Social Services**
Sharie Hahn
General Counsel
PO Box 1527
Broadway State Office Building
Jefferson City, MO 65102-1527
rulescomment@dss.mo.gov

**Title 14 – Department of Corrections**
Doug Shull
General Counsel
2728 Plaza Dr.
Jefferson City MO 65109
doug.shull@doc.mo.gov

The Report: The agency will prepare a report containing the results of the review which will include: whether the rule continues to be necessary; whether the rule is obsolete; whether the rule overlaps, duplicates, or conflicts with other rules; whether a less restrictive or more narrowly tailored rule is appropriate; whether the rule needs amendment or rescission; whether incorporated by reference materials are proper; and whether rules affecting small business are still relevant. The report will also contain an appendix with the nature of the comments the department has received on the rules and the agency responses to the comments.
**Report Deadline:** The report must be filed with the Joint Committee on Administrative Rules by **June 30, 2023.** Any rule not included in the report may become null and void. However, there is an extensive process, including multiple opportunities to correct the deficiency, in place before nullification of the rule. Such opportunities include the ability of the agency to request an extension from the Joint Committee on Administrative Rules, as well as notification to the agency and opportunity to correct the delinquency.

**Questions:** If you have further questions about the process, please contact Sarah Schappe, Joint Committee on Administrative Rules, 573-751-2443 or JTCAR@senate.mo.gov.
The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

NOTICE OF ENTITY DISSOLUTION
TO ALL CREDITORS AND CLAIMANTS
AGAINST
MPACT HEALTH, LLC

MPact Health, LLC, a Missouri limited liability company ("Company"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on May 17, 2022. In accordance with the filing of the Notice of Winding Up for Limited Liability Company, and pursuant to the Missouri Limited Liability Company Act, any and all claims against the Company should be sent by mail to MPact Health, LLC, c/o Polsinelli PC, 2501 Frederick Avenue, Suite 200, St. Joseph, MO 64506, Attention: Mark Woodbury. Each claim should include the following:

(1) a brief description of the nature and basis for your claim; (2) the date(s) when the events on which your claim is based arose; (3) the amount of your claim; (4) the name, address, telephone number and email address (if applicable) of the claimant; and (5) any documentation related to your claim.

Any and all claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of the publication of this Notice.

NOTICE OF ENTITY DISSOLUTION
TO ALL CREDITORS AND CLAIMANTS
AGAINST
MPACT HEALTH CIN, LLC

MPact Health CIN, LLC, a Missouri limited liability company ("Company"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on May 17, 2022. In accordance with the filing of the Notice of Winding Up for Limited Liability Company, and pursuant to the Missouri Limited Liability Company Act, any and all claims against the Company should be sent by mail to MPact Health, LLC, c/o Polsinelli PC, 2501 Frederick Avenue, Suite 200, St. Joseph, MO 64506, Attention: Mark Woodbury. Each claim should include the following:

(1) a brief description of the nature and basis for your claim; (2) the date(s) when the events on which your claim is based arose; (3) the amount of your claim; (4) the name, address, telephone number and email address (if applicable) of the claimant; and (5) any documentation related to your claim.

Any and all claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of the publication of this Notice.

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NOTICE OF WINDING UP TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
SERVICE CONCEPTS, L.L.C.

On May 20, 2022, Service Concepts, L.L.C., a Missouri limited liability company, filed its Notice of Winding up for Limited Liability Company with the Missouri Secretary of State. The Notice of Winding Up was effective May 20, 2022.

Said Company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

Robert M. Wise
16529 Thunderhead Canyon Ct.
Wildwood, MO 63011

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, the documentation of the claim, and a brief description of the nature of the debt or the basis for the claim.

NOTICE: All claims against Service Concepts, L.L.C., will be barred unless commenced within three years after the date of the publication of this notice.

NOTICE OF WINDING UP
AND DISSOLUTION OF
LIMITED LIABILITY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
COTTAGES SENIOR HOUSING OF BELTON, LLC

On May 16, 2022, Cottages Senior Housing of Belton, LLC, a Missouri limited liability company (the “Company”), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against the Company, you must submit a written summary of your claim to the Company in care of Joseph L. Hiersteiner, Seigfreid Bingham, P.C., 2323 Grand Boulevard, Suite 1000, Kansas City, Missouri 64108. The summary of your claim must include the following information:

1. The name, address and telephone number of the claimant;

2. The amount of the claim;

3. The date on which the claim is based occurred;

4. A brief description of the nature of the debt or the basis for the claim; and

5. Whether the claim is secured, and if so, the collateral used as security.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.
NOTICE OF WINDING UP
AND DISSOLUTION OF
LIMITED LIABILITY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
COTTAGES SENIOR HOUSING OF KANSAS CITY, LLC

On May 16, 2022, Cottages Senior Housing of Kansas City, LLC, a Missouri limited liability company (the “Company”), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against the Company, you must submit a written summary of your claim to the Company in care of Joseph L. Hiersteiner, Seigfreid Bingham, P.C., 2323 Grand Boulevard, Suite 1000, Kansas City, Missouri 64108. The summary of your claim must include the following information:

1. The name, address and telephone number of the claimant:
2. The amount of the claim;
3. The date on which the claim is based occurred;
4. A brief description of the nature of the debt or the basis for the claim; and
5. Whether the claim is secured, and if so, the collateral used as security.

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

NOTICE OF WINDING UP TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
STEGAR, LLC

On May 23, 2022, Stegar, LLC, a Missouri limited liability company, filed its Notice of Winding up for Limited Liability Company with the Missouri Secretary of State. The Notice of Winding Up was effective May 23, 2022.

Said Company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

Gary Delgman
17 Clarkson Farm Dr.
Chesterfield, MO 63017

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, the documentation of the claim, and a brief description of the nature of the debt or the basis for the claim.

NOTICE: All claims against Stegar, L.L.C., will be barred unless commenced within three years after the date of the publication of this notice.
NOTICE OF THE WINDING UP AND DISSOLUTION

OF

TEKTON HOMES, LLC

On May 18, 2022, Tekton Homes, LLC, a Missouri limited liability company (the “Company”), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against the Company, you must submit a written summary of your claim to the Company in care of SBLSG Registered Agent, Inc., 2900 NE Brooktree Lane, Suite 100, Kansas City, MO 64119. The summary of your claim must include the following information:

1. The name, address and telephone number of the claimant;
2. The amount of the claim;
3. The date on which the claim is based occurred;
4. A brief description of the nature of the debt or the basis for the claim; and
5. Whether the claim is secured, and if so, the collateral used as security.

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

NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST CRS DEVELOPMENT, LLC

CRS Development, LLC, a Missouri limited liability company, filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State on May 16, 2022.

Any and all claims against CRS Development, LLC may be sent to William W. Eckelkamp, Jr., P.O. Box 228, Washington, MO 63090. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim is based occurred; and any documentation related to the claim.

Any and all claims against CRS Development, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

On May 11, 2022, Concept Electrical Services, LLC, a Missouri limited liability company (the “Company”), filed its Notice of Winding Up with the Missouri Secretary of State. All persons and organizations with claims against the Company must submit a written summary of any claims against the Company to Christopher M. Kehr, Kent Kehr & Associates, PC, 911 South 13th Street, St. Louis, MO 63103. Each claim should include the name, address, and telephone number of the claimant, the amount of the claim, date(s) the claim accrued, a brief description of the nature and basis for the claim, and any documentation of the claim. Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of this publication.
NOTICE OF WINDING UP

TO ALL CREDITORS AND CLAIMANTS AGAINST
COMMISSIONFRONT LLC

On May 5, 2022, CommissionFront LLC, a Missouri limited liability company, filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against CommissionFront LLC, you must submit the claim in writing to: Bryan Bowles, 117 S. Main Street, St. Charles, MO 63301. The claim must include:

1. The name, address, and telephone number of the claimant.
2. The amount of the claim.
3. The date on which the event occurred on which the claim is based.
4. A brief description of the nature of or the basis for the claim.
5. Whether or not the claim was secured and, if so, the collateral used as security.

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

NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMANTS AGAINST C&C MANAGEMENT OF PERRYVILLE, INC.

On May 19, 2022, C&C Management of Perryville, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on May 19, 2022.

You are hereby notified that if you believe you have a claim against C&C Management of Perryville, Inc., you must submit a summary in writing of the circumstances surrounding your claim to C&C Management of Perryville, Inc. at 1515 E. Malone Ave., Sikeston, Missouri, 63801. The summary of your claim must include the following information: (1) The name, address and telephone number of the claimant. (2) The amount of the claim. (3) The date on which the event on which the claim is based occurred. (4) A brief description of the nature of the debt or the basis for the claim.

All claims against C&C Management of Perryville, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.
NOTICE OF DISSOLUTION TO ALL CREDITORS OF 
AND CLAIMANTS AGAINST CAPE GIRARDEAU LICENSE BUREAU, INC.

On May 23, 2022, Cape Girardeau License Bureau, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on May 23, 2022.

You are hereby notified that if you believe you have a claim against Cape Girardeau License Bureau, Inc., you must submit a summary in writing of the circumstances surrounding your claim to Cape Girardeau License Bureau, Inc. at 1515 E. Malone Ave., Sikeston, Missouri, 63801. The summary of your claim must include the following information: (1) The name, address and telephone number of the claimant. (2) The amount of the claim. (3) The date on which the event on which the claim is based occurred. (4) A brief description of the nature of the debt or the basis for the claim.

All claims against Cape Girardeau License Bureau, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF 
AND CLAIMS AGAINST BSW SOLUTIONS LLC.

On 5/17/22, BSW Solutions LLC, a Missouri limited liability company filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against BSW Solutions LLC, you must submit a summary in writing of the circumstances surrounding your claim to BSW Solutions LLC, Attn: Cathy B. Goldsticker, 6 CityPlace Dr., Ste 900, St. Louis, MO 63141. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against BSW Solutions LLC will be barred unless the proceeding to enforce the claim is commenced within 3 years after the publication of this Notice.
NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND ALL CLAIMANTS AGAINST
LIGHTHOUSE WEALTH MANAGEMENT GROUP LLC

The name of the limited liability company is Lighthouse Wealth Management Group LLC.

The Articles of Organization for Lighthouse Wealth Management Group LLC were filed with the Missouri Secretary of State on August 13, 2006.

On May 25, 2022, Lighthouse Wealth Management Group LLC filed a Notice of Winding Up for Limited Liability Company with the Secretary of State of Missouri.

Persons with claims against Lighthouse Management Group LLC should present them in accordance with the following procedure:

(a) In order to file a claim with Lighthouse Wealth Management Group LLC, you must furnish the following:
   (i) Amount of the claim
   (ii) Basis for the claim
   (iii) Documentation of the claim

(b) The claim must be mailed to:
   Dale Terrell
   115 Wake Forest Drive
   O'Fallon, Missouri 63368

A claim against Lighthouse Wealth Management Group LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMANTS AGAINST POPLAR BLUFF LICENSE BUREAU, INC.

On May 25, 2022, Poplar Bluff License Bureau, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on May 25, 2022.

You are hereby notified that if you believe you have a claim against Poplar Bluff License Bureau, Inc., you must submit a summary in writing of the circumstances surrounding your claim to Poplar Bluff License Bureau, Inc. at 1515 E. Malone Ave., Sikeston, Missouri, 63801. The summary of your claim must include the following information: (1) The name, address and telephone number of the claimant. (2) The amount of the claim. (3) The date on which the event on which the claim is based occurred. (4) A brief description of the nature of the debt or the basis for the claim.

All claims against Poplar Bluff License Bureau, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.
Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the Code of State Regulations. Citations are to volume and page number in the Missouri Register, except for material in this issue. The first number in the table title refers to the volume number or the publication year—46 (2021) and 47 (2022). MoReg refers to Missouri Register and the numbers refer to a specific Register page. R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

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- Secretary of State: This Issue
- Treasurer: This Issue

**RETIREMENT SYSTEMS**

- The Public School Retirement System of Missouri: 47 MoReg 829
- The Public School Retirement System of Missouri: 47 MoReg 852

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- Office of State Public Defender: 47 MoReg 123, 47 MoReg 792

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<td>22-03</td>
<td>Terminates the State of Emergency declared in Executive Order 22-02.</td>
<td>February 7, 2022</td>
<td>47 MoReg 411</td>
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<tr>
<td>22-02</td>
<td>Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems.</td>
<td>February 1, 2022</td>
<td>47 MoReg 304</td>
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<tr>
<td>22-01</td>
<td>Establishes and Designates the Missouri Early Childhood State Advisory Council.</td>
<td>January 7, 2022</td>
<td>47 MoReg 222</td>
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<tr>
<td>21-13</td>
<td>Creates and establishes the Missouri Supply Chain Task Force.</td>
<td>November 22, 2021</td>
<td>47 MoReg 12</td>
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<tr>
<td>21-12</td>
<td>Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.</td>
<td>November 5, 2021</td>
<td>46 MoReg 2325</td>
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<tr>
<td>21-11</td>
<td>Orders state offices to be closed on Friday, November 26, 2021.</td>
<td>November 2, 2021</td>
<td>46 MoReg 2241</td>
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<tr>
<td>21-10</td>
<td>Orders steps to oppose federal COVID-19 vaccine mandates within all agencies, boards, commissions, and other entities within the executive branch of state government.</td>
<td>October 28, 2021</td>
<td>46 MoReg 2239</td>
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<tr>
<td>21-09</td>
<td>Terminates the state of emergency declared in Executive Order 20-02, declares a state of emergency, suspends certain regulations related to telemedicine and physical presence for executing documents, and allows state agencies to waive some regulatory requirements.</td>
<td>August 27, 2021</td>
<td>46 MoReg 1727</td>
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<tr>
<td>21-08</td>
<td>Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.</td>
<td>August 10, 2021</td>
<td>46 MoReg 1673</td>
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<td>Proclamation</td>
<td>Convenes the First Extra Session of the First Regular Session of the One Hundred and First General Assembly for extending the Federal Reimbursement Allowances (FRA) and related allowances, taxes, and assessments necessary for funding MO HealthNet.</td>
<td>June 22, 2021</td>
<td>46 MoReg 1447</td>
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<td>21-06</td>
<td>Creates and establishes the Show Me Strong Recovery Task Force and rescinds Executive Order.</td>
<td>March 22, 2021</td>
<td>46 MoReg 748</td>
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<tr>
<td>21-05</td>
<td>Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.</td>
<td>February 24, 2021</td>
<td>46 MoReg 605</td>
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<td>21-04</td>
<td>Extends Executive Order 21-03 until February 28, 2021 and terminates Executive Order 20-17.</td>
<td>February 19, 2021</td>
<td>46 MoReg 603</td>
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<tr>
<td>21-03</td>
<td>Declares a State of Emergency and exempts hours of service requirements for vehicles transporting residential heating fuel until February 21, 2021.</td>
<td>February 11, 2021</td>
<td>46 MoReg 495</td>
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<tr>
<td>21-02</td>
<td>Establishes the Office of Childhood within the Department of Elementary and Secondary Education.</td>
<td>January 28, 2021</td>
<td>46 MoReg 394</td>
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<tr>
<td>21-01</td>
<td>Terminates Executive Orders 03-11 and 02-05, and modifies provisions of Executive Order 05-06.</td>
<td>January 7, 2021</td>
<td>46 MoReg 314</td>
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