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

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

Orders of Rulemaking

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 5—Working Hours, Holidays, and Leaves of Absence

ORDER OF RULEMAKING

By the authority vested in the Personnel Advisory Board under section 36.070, RSMo Supp. 2021, and section 36.350, RSMo 2016, the board amends a rule as follows:

1 CSR 20-5.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on February 15, 2022 (47 MoReg 225-230). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held April 12, 2022, and the public comment period also ended April 12, 2022. The Personnel Advisory Board received one (1) comment on the proposed amendment.

COMMENT #1: Department staff commented suggesting that step-grandparents be included along with the other new additions to the bereavement leave policy from the proposed amendment.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, step-grandparents of an employee or an employee’s spouse have now been included. The description of family members included in this policy has also been simplified.
REVISED FISCAL NOTE
PUBLIC COST

I. Department Title: Office of Administration
   Division Title: Personnel Advisory Board and Division of Personnel
   Chapter Title: Working Hours, Holidays and Leaves of Absence

<table>
<thead>
<tr>
<th>Rule Number and Name:</th>
<th>1 CSR 20-5.020 Leaves of Absence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Rulemaking:</td>
<td>Order of Rulemaking</td>
</tr>
</tbody>
</table>

II. SUMMARY OF FISCAL IMPACT

<table>
<thead>
<tr>
<th>Affected Agency or Political Subdivision</th>
<th>Estimated Cost of Compliance in the Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Administration</td>
<td>$3,221.65 annually</td>
</tr>
<tr>
<td>Dept. of Agriculture</td>
<td>$621.68 annually</td>
</tr>
<tr>
<td>Dept. of Commerce and Insurance</td>
<td>$1,503.34 annually</td>
</tr>
<tr>
<td>Dept. of Conservation</td>
<td>$2,246.62 annually</td>
</tr>
<tr>
<td>Dept. of Corrections</td>
<td>$10,991.07 annually</td>
</tr>
<tr>
<td>Dept. of Economic Development</td>
<td>$418.49 annually</td>
</tr>
<tr>
<td>Dept. of Elementary and Secondary Education</td>
<td>$2,523.71 annually</td>
</tr>
<tr>
<td>Dept. of Health and Senior Services</td>
<td>$2,686.47 annually</td>
</tr>
<tr>
<td>Dept. of Higher Education and Workforce Development</td>
<td>$503.55 annually</td>
</tr>
<tr>
<td>Dept. of Labor and Industrial Relations</td>
<td>$1,032.43 annually</td>
</tr>
<tr>
<td>Dept. of Mental Health</td>
<td>$8,740.99 annually</td>
</tr>
<tr>
<td>Dept. of Natural Resources</td>
<td>$2,610.14 annually</td>
</tr>
<tr>
<td>Dept. of Public Safety</td>
<td>$8,525.05 annually</td>
</tr>
<tr>
<td>Dept. of Revenue</td>
<td>$1,498.57 annually</td>
</tr>
<tr>
<td>Dept. of Social Services</td>
<td>$7,937.63 annually</td>
</tr>
<tr>
<td>Dept. of Transportation</td>
<td>$8,121.07 annually</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$63,182.46 annually</strong></td>
</tr>
</tbody>
</table>
III. **WORKSHEET**

227,267 Average number of bereavement leave hours used statewide in fiscal years 2019-2021 (217,972, 224,157, 239,672)

\[ * \]
\[ 0.05 \]
\[ = \]
\[ 11,363.35 \] Expected additional bereavement leave hours per year

\[ 11,363.35 \] Expected additional bereavement leave hours per year

\[ * \]
\[ 0.5 \]
\[ = \]
\[ 2,840.84 \] Reduced annual leave usage per year as a result of bereavement leave expansion

\[ 2,840.84 \] Reduced annual leave usage per year

\[ * \]
\[ 0.98 \]
\[ = \]
\[ 2,784.02 \] Total cost in annual leave hours

*Explanation:* Annual leave hours that would have been taken absent this policy change, and that would not have lapsed at some later time, represent hours that must be liquidated and paid out to employees upon separation from state employment. In the absence of bereavement leave expansion, these annual leave hours would have been used by the employee and would not have been paid out upon separation, so they represent the projected public cost per year of bereavement leave expansion.

<table>
<thead>
<tr>
<th>State Agency</th>
<th>Employees</th>
<th>Avg. Salary</th>
<th>Estimated Cost of Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Administration</td>
<td>1,684</td>
<td>$24.34</td>
<td>$3,221.65</td>
</tr>
<tr>
<td>Dept. of Agriculture</td>
<td>361</td>
<td>$21.91</td>
<td>$621.68</td>
</tr>
<tr>
<td>Dept. of Commerce and Insurance</td>
<td>693</td>
<td>$27.60</td>
<td>$1,503.34</td>
</tr>
<tr>
<td>Dept. of Conservation</td>
<td>1,459</td>
<td>n/a</td>
<td>$2,246.62*</td>
</tr>
<tr>
<td>Dept. of Corrections</td>
<td>8,250</td>
<td>$16.95</td>
<td>$10,991.07</td>
</tr>
<tr>
<td>Dept. of Economic Development</td>
<td>232</td>
<td>$22.95</td>
<td>$418.49</td>
</tr>
<tr>
<td>Dept. of Elementary and Secondary Education</td>
<td>1,511</td>
<td>$21.25</td>
<td>$2,523.71</td>
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<tr>
<td>Dept. of Health and Senior Services</td>
<td>1,578</td>
<td>$21.66</td>
<td>$2,686.47</td>
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<tr>
<td>Dept. of Higher Education and Workforce Development</td>
<td>317</td>
<td>$20.21</td>
<td>$503.55</td>
</tr>
<tr>
<td>Dept. of Labor and Industrial Relations</td>
<td>607</td>
<td>$21.64</td>
<td>$1,032.43</td>
</tr>
<tr>
<td>Dept. of Mental Health</td>
<td>6,199</td>
<td>$17.94</td>
<td>$8,740.99</td>
</tr>
<tr>
<td>Dept. of Natural Resources</td>
<td>1,472</td>
<td>$22.56</td>
<td>$2,610.14</td>
</tr>
<tr>
<td>Dept. of Public Safety</td>
<td>4,827</td>
<td>$22.47</td>
<td>$8,525.05</td>
</tr>
<tr>
<td>Dept. of Revenue</td>
<td>1,104</td>
<td>$17.27</td>
<td>$1,498.57</td>
</tr>
<tr>
<td>Dept. of Social Services</td>
<td>5,623</td>
<td>$17.96</td>
<td>$7,937.63</td>
</tr>
<tr>
<td>Dept. of Transportation</td>
<td>5,115</td>
<td>$20.20</td>
<td>$8,121.07</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>41,032</td>
<td>n/a</td>
<td>$63,182.46</td>
</tr>
</tbody>
</table>

**Explanation:** Estimated cost is calculated by multiplying the agency’s average salary amongst employees who took bereavement leave in fiscal year 2021 by the 2% COLA effective January 1, 2022, by the 5.5% across-the-board salary increase in the fiscal year 2023 budget, by the agency’s percentage share of total state employment, by the total annual leave hours figure calculated above, and then by 1.0765 to account for the additional employer share of Medicare and Social Security taxes. Annual leave payouts made upon separation from state employment do not include employer contributions to any other fringe benefits.

*Department of Conservation bereavement leave usage data is not available to the Office of Administration in the SAM II system. The estimate for this state agency has been calculated using the average per capita estimated cost at the other 15 state agencies.*

IV. ASSUMPTIONS

A. Demographic Assumptions

1) The 13 existing categories of deaths causing an employee to be eligible to take bereavement leave (employee’s spouse, child, sibling, parent, step-parent, grandparent, or grandchild; spouse’s child, parent, step-parent, grandparent, or grandchild; or a member of the employee’s household), on average, have larger populations and higher mortality rates than the five new categories of eligibility (employee’s step-sibling and step-grandparent and spouse’s sibling, step-sibling, and step-grandparent). This expanded eligibility will result in no more than five percent more eligible deaths per year.

2) The frequency of the occurrence of an eligible death and the average length of bereavement leave taken per eligible death will be the same going forward across all state agencies.

3) Average salary was calculated by averaging the salary of the employees who took bereavement leave at each state agency in fiscal year 2021. This average is a better estimate than using the agency-wide average salary or the statewide average salary.

B. Leave Usage Assumptions

4) Employees will be equally likely to take bereavement leave for the death of a step-sibling or step-grandparent or spouse’s sibling, step-sibling, or step-grandparent as they are to take bereavement leave for the 13 existing categories of deaths eligible for bereavement leave and will take, on average, an equal number of leave hours.
5) Prior to this expansion of bereavement leave, employees would have had to take annual leave in instances of death of a step-sibling or step-grandparent or spouse’s sibling, step-sibling, or step-grandparent because bereavement leave was unavailable. With bereavement leave now available, employees will be twice as likely to decide to take leave time.

6) Prior to this expansion of bereavement leave, employees would have had to take annual leave in instances of death of a step-sibling or step-grandparent or spouse’s sibling, step-sibling, or step-grandparent because bereavement leave was unavailable. With bereavement leave now available, those employees who would have decided to take annual leave previously would have used 50% fewer hours of leave per eligible death than they will going forward with bereavement leave now available.

7) 2% of annual leave that is retained because of this bereavement leave expansion will ultimately lapse pursuant to the leave sweep provision of 1 CSR 20-5.020(1)(D).

8) State agencies will not hire part-time employees and will not incur additional overtime costs in absorbing the duties of employees taking bereavement leave that would not have been taken prior to this expansion.

9) The possession of more annual leave that previously would have been used to take time off for an ineligible death will not impact future annual leave usage by an employee.

C. General Assumptions

10) The average employee salaries used for these calculations is adjusted for the 2% cost-of-living adjustment effective January 1, 2022 and the 5.5% across-the-board salary increase in the fiscal year 2023 budget, but is not adjusted for any other salary adjustments or in anticipation of uncertain future salary adjustments.

11) Employee headcount data in total and at each state agency is taken from the SAM II Talent Management Dashboard as of November 30, 2021. Future employee headcount is not adjusted in anticipation of uncertain future increases or decreases in staffing.

12) The provisions of 1 CSR 20-5.020 relating to bereavement leave apply to all 16 executive agencies pursuant to section 36.350, RSMo. Any elected officials or other branches of government that choose to follow this regulation do so voluntarily, and the fiscal impact of those choices is not part of the fiscal impact of this proposed amendment.
Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations Commission
Chapter 2—General Rules

ORDER OF RULEMAKING

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

8 CSR 20-2.010 Governing Rules is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 413-414). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 20—Labor and Industrial Relations Commission
Chapter 3—Rules Relating to Division of Workers’ Compensation

ORDER OF RULEMAKING

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

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

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 414-415). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety, Division of Alcohol and Tobacco Control, under section 311.660, RSMo Supp. 2021, the division amends a rule as follows:

11 CSR 70-2.010 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 310-311). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Division of Alcohol and Tobacco Control received eleven (11) comments on the proposed amendment.

COMMENT #1: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, stated that the proposed language in 11 CSR 70-2.010(1) should be modified to replace the term “line of sight” with the term “ten mile.” They stated that the term “line of sight” is subjective and that TTB has implemented a “ten mile” policy for the last thirty years.

RESPONSE: The term “line of sight” means an observer can stand at Point A and see Point B. The division does not believe this term is subjective. Additionally, the term “line of sight” only comes into effect if the areas are not located on one continuous tract of land or adjoining tracts of land owned by the same person. As for adopting TTB’s “ten mile” standard, the “ten mile” policy is an internal policy that is not codified in any federal statute or regulation. TTB applies this “ten mile” policy to locations that are “within reasonable proximity” and “in the same general area.” Since the term “close proximity” implies a stronger connection and intimacy than “reasonable proximity” or “same general area,” TTB’s internal “ten mile” policy should not be used to define the term “close proximity” used in Missouri Liquor Law. Moreover, the “ten mile” policy applies to multiple manufacturing locations under a single federal permit. Under Missouri Liquor Control Law, the term “close proximity” is mainly used to describe the distance between a retail establishment and a manufacturer facility with common ownership. For these reasons, no changes have been made to the amendment as a result of this comment.

COMMENT #2: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, asked for clarification in 11 CSR 70-2.010(2) regarding the purpose of defining the term “delivery.”

RESPONSE: The purpose of this definition is to distinguish deliveries from shipments. Since no change was requested, no changes have been made to the amendment as a result of this comment.

COMMENT #3: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, stated that the proposed language in 11 CSR 70-2.010(3) should be modified to address beneficiaries of a trust, since beneficiaries are not expressly listed in the statutory definition of “person” in section 311.030, RSMo.

RESPONSE: The division cannot use regulation to expand or modify the statutory definition of “person” in section 311.030, RSMo. While the statutory definition of “person” does not expressly include beneficiaries, it does include any individual or association. Thus, beneficiaries who are individuals or associations of individuals would be covered by the statutory definition of “person” and may have a financial interest in a trust, depending on the nature and structure of the trust. For these reasons, no changes have been made to the amendment as a result of this comment.

COMMENT #4: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, stated that the proposed language in 11 CSR 70-2.010(6) would be very prohibitive and would prohibit spouses from investing in different tiers of the alcohol industry. They further stated that the proposed language should be modified to reflect definitions used in other states that are less restrictive and prohibitive, and to include a “grandfather clause” for existing licensees.

RESPONSE: The division has reviewed the comment and determined that the proposed definition of “ indirect financial interest” adequately balances the goals of industry and the requirements of the three-tier system established by Missouri Liquor Control Law. The division is unaware of any conflict between the definition proposed in this amendment and any other state’s statutory or regulatory definition of the term “ indirect financial interests.” Finally, the division does not have the statutory authority to include “grandfather clauses” for basic licensure qualifications. For these reasons, no changes have
been made to the amendment as a result of this comment.

COMMENT #5: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, stated that the proposed language in 11 CSR 70-2.010(17) regarding the delineation of the licensed premises would require some sort of fencing in every situation.

RESPONSE: Licensees are responsible for what happens on their licensed premises, so it’s important for employees and customers alike to be able to understand and identify the confines of the licensed premises. The proposed amendment will require licensees to have readily discernable boundaries that employees and customers alike can identify. However, licensees are not required to utilize or install fencing to delineate these boundaries. For these reasons, no changes have been made to the amendment as a result of this comment.

COMMENT #6: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, asked for clarification in 11 CSR 70-2.010(19) regarding the purpose of defining the term “shipment.”

RESPONSE: The purpose of this definition is to distinguish shipments from deliveries. Since no change was requested, no changes have been made to the amendment as a result of this comment.

COMMENT #7: Clayton Weems, with the Division of Alcohol and Tobacco Control, stated that the proposed language in 11 CSR 70-2.010(25)(A) and (26) should be modified so that the term “entity” is not defined twice.

RESPONSE AND EXPLANATION OF CHANGE: New subsection (25)(A) has been removed so that term “entity” is only defined in new section (26) in order to avoid potential confusion.

COMMENT #8: Clayton Weems, with the Division of Alcohol and Tobacco Control, stated that the proposed language in 11 CSR 70-2.010(25)(B) and (27) should be modified so that the term “partnership” is not defined twice.

RESPONSE AND EXPLANATION OF CHANGE: New subsection (25)(B) has been removed so that term “partnership” is only defined in new section (27) in order to avoid potential confusion.

COMMENT #9: Clayton Weems, with the Division of Alcohol and Tobacco Control, stated that the proposed language in 11 CSR 70-2.010(25)(C) and (28) should be modified so that the term “sole proprietor” is not defined twice.

RESPONSE AND EXPLANATION OF CHANGE: New subsection (25)(C) has been removed so that term “sole proprietor” is only defined in new section (28) in order to avoid potential confusion.

COMMENT #10: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, and Clayton Weems, with the Missouri Division of Alcohol and Tobacco Control, stated that the proposed language in 11 CSR 70-2.010(26), (27), and (28) should be modified to remove or modify the phrase “legal personality” since it is not a commonly used phrase and may cause confusion.

RESPONSE AND EXPLANATION OF CHANGE: The division has removed the phrase “and is considered a legal personality” from 11 CSR 70-2.010(26), (27), and (28) to mitigate potential confusion.

COMMENT #11: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, and Clayton Weems, with the Missouri Division of Alcohol and Tobacco Control, stated that the proposed language in 11 CSR 70-2.010(27) and (28) should be modified to clarify whether an LLLP with one person constitutes a “partnership” and to replace to term “persons” with “individuals” to mitigate any potential confusion.

RESPONSE AND EXPLANATION OF CHANGE: Since an LLLP with only one general partner and no limited partners would still be able to qualify for licensure as an “entity” or “sole proprietorship,” no change was made to expressly include LLLPs with only one general partnership in the definition of “partnership.” The division has replaced the term “persons” with the term “individuals” in 11 CSR 70-2.010(27) and (28) to mitigate any potential confusion.

11 CSR 70-2.010 Definitions

(25) Applicant refers to the sole proprietor, partnership, or entity applying for a liquor license.

(26) Entity refers to any association, corporation, limited liability company, limited partnership, or other business structure which has a separate legal existence from its owner(s). Entity also includes any business structure not in conformance with a sole proprietor or partnership structure as defined herein.

(27) Partnership refers to two (2) or more individuals who share control over the management and profits of a business structure. The business has no separate legal existence from the partners.

(28) Sole proprietor refers to one (1) individual who exercises exclusive control over the management and profits of a business structure. The business has no separate existence from its owner. Income and losses are taxed on the individual’s personal income tax return.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 70—Division of Alcohol and Tobacco Control Chapter 2—Rules and Regulations

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety, Division of Alcohol and Tobacco Control, under section 311.660, RSMo Supp. 2021, the division amends a rule as follows:

11 CSR 70-2.020 Application for License 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 311-312). 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 Division of Alcohol and Tobacco Control received two (2) comments on the proposed amendment.

COMMENT #1: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, questioned the necessity for the proposed language in 11 CSR 70-2.020(10) that allows the supervisor to discipline any licensee who failed to present all documentation and information listed on the checklist of requirements, since the supervisor can simply deny the applicant upfront.

RESPONSE: If the supervisor issued a license to an applicant who hid, falsified, or otherwise failed to provide documents or information listed on the checklist of requirements, discipline would be the appropriate remedy. The supervisor cannot deny an application after the checklist of requirements, since the supervisor can simply deny the applicant upfront.

RESPONSE: The purpose of defining the term “shipment.”

COMMENT #2: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, requested clarification as to whether the division wants to obtain city and county liquor licenses and health inspection reports
after liquor licenses are issued, and whether the division is unwilling to receive applications without all documents and information required by the checklist of requirements.

RESPONSE: The division currently requires licensees to provide proof of city/county licensure pursuant to section 311.220.3, RSMo, and health inspections pursuant to 11 CSR 70-2.060 and 11 CSR 70-2.120. Finally, when the division receives applications that are missing documents or information required by the checklist of requirements, the division works with said applicants to obtain said documents and information and remedy any curable defects. However, the division does not approve incomplete applications. For these reasons, no changes have been made to the amendment as a result of this comment.

**SUMMARY OF COMMENTS:** No comments were received.

**Code of State Regulations.**

**Title 11—DEPARTMENT OF PUBLIC SAFETY**

**Division 70—Division of Alcohol and Tobacco Control**

**Chapter 2—Rules and Regulations**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Public Safety, Division of Alcohol and Tobacco Control, under section 311.660, RSMo Supp. 2021, the division amends a rule as follows:

11 CSR 70-2.060 Manufacturers

(1) For the purpose of this regulation the following definitions apply:

(B) An “owner” of a facility which brews or manufactures malt liquor is defined as a person or entity, that holds the entire facility in fee simple, or has a leasehold interest for a term of years in that entire facility, and is the person or business entity licensed for that entire facility by either or both the state within which the facility is located and/or the U.S. Treasury Department, Alcohol and Tobacco Tax and Trade Bureau.

(2) The Federal Alcohol Administration Act is hereby incorporated by reference (published by the United States House, dated January 1, 2022 and available at: https://uscode.house.gov/view.xhtml?path=/prelim@title27/chapter8&edition=prelim). This does not include any later amendments or additions. These regulations apply to distilled spirits, wine, and
malt beverages packaged purely for interstate shipment insofar as the regulations are not contrary to or inconsistent with the laws of Missouri. In addition to the regulations, the label of every container of spirituous liquor, wine, or malt liquor, unless already required by the regulations, shall set forth the name and address of the manufacturer, brewer, distiller, rectifier, or producer of the spirituous liquor, wine, or malt liquor as the case may be; provided that if the name of the brewer or manufacturer of malt liquor which appears on the label is not the owner of the facility where the malt liquor was brewed or manufactured, then the name, owner, and address of the facility shall also be set forth on the label.

(3) All licensees engaged in bottling intoxicating liquor and alcoholic beverages, before filling any bottle, shall cause the same to be sterilized by the following methods:

(A) All new bottles, unless sterile, are to be sterilized or cleaned by thoroughly rinsing with clean sterile water or by blowing or vacuuming with proper machines for sterilization or cleansing; or

(B) All new bottles, unless sterile, are to be sterilized or cleaned by thoroughly rinsing with clean sterile water or by blowing or vacuuming with proper machines for sterilization or cleansing; or

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety, Division of Alcohol and Tobacco Control, under section 311.660, RSMo Supp. 2021, the division amends 11 CSR 70-2.070, 11 CSR 70-2.070(3) and 11 CSR 70-2.080, 11 CSR 70-2.080(3) as provided in section 311.580, RSMo. However, unlicensed storage facilities cannot possess any form of untaxed intoxicating liquor unless they qualify under section 311.580, RSMo.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 1, 2022 (47 MoReg 315). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Division of Alcohol and Tobacco Control received one (1) comment on the proposed amendment.

COMMENT #1: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swearengen & England, stated that the proposed language in 11 CSR 70-2.070(3) should be modified so that solicitors, off-site storage facilities licensed by solicitors, and unlicensed storage facilities can possess untaxed malt liquor.

RESPONSE AND EXPLANATION OF CHANGE: The division has added solicitors to the list of licensed persons who are able to possess untaxed malt liquor. However, the division has not added off-site storage facilities licensed by solicitors or unlicensed storage facilities. When a solicitor obtains permission to utilize off-site storage facilities, those off-site storage facilities are treated as an extension of the solicitor’s licensed premises. Solicitors can store intoxicating liquor anywhere on their licensed premises, so adding off-site storage facilities licensed by solicitors is unnecessary. As for unlicensed storage facilities, any person—licensed or otherwise—can utilize these facilities as long as they comply with section 311.370, RSMo. However, unlicensed storage facilities cannot possess any form of untaxed intoxicating liquor unless they qualify under section 311.580, RSMo.

11 CSR 70-2.080 Malt Liquor Tax

(3) No person other than a licensed brewer, malt liquor manufacturer, or solicitor may possess in this state any malt liquor without the proper amount of taxes having been paid, except as provided in section 311.580, RSMo.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 70—Division of Alcohol and Tobacco Control
Chapter 2—Rules and Regulations

ORDER OF RULEMAKING

By the authority vested in the Department of Public Safety, Division of Alcohol and Tobacco Control, under section 311.660, RSMo Supp. 2021, the division amends 11 CSR 70-2.090 Reports of Distillers, Solicitors, Wine Manufacturers, and Wholesalers as provided in section 311.580, RSMo.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 1, 2022 (47 MoReg 316). 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 Division of Alcohol and Tobacco Control received one (1) comment on the proposed amendment.

COMMENT #1: Charles Smarr, Stephen Rehagen, Mike Schler, Karen Dorton, and Lorene Williams, with Brydon, Swarengen & England, stated that the proposed language in 11 CSR 70-2.090(1) only gives licensees fifteen (15) days to report any changes, which may be a short time if what has been requested is voluminous. RESPONSE: Licensees currently have ten (10) days to report the information required by 11 CSR 70-2.090(1). The division has extended that time to fifteen (15) days, which will give licensees more time to report the required information. Additionally, the fifteen (15) day timeframe does not start until the effective date of the change. Licensees who are aware of changes ahead of the effective day will have more than fifteen (15) days to compile and transmit the required information. For these reasons, no changes have been made to the amendment as a result of this comment.

RESPONSE: Licensees currently have ten (10) days to report the information required by 11 CSR 70-2.090(1). The division has extended that time to fifteen (15) days, which will give licensees more time to report the required information. Additionally, the fifteen (15) day timeframe does not start until the effective date of the change. Licensees who are aware of changes ahead of the effective day will have more than fifteen (15) days to compile and transmit the required information. For these reasons, no changes have been made to the amendment as a result of this comment.

SUMMARY OF COMMENTS: The Division of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.010 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 331-334). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received four (4) comments on the proposed amendment.

COMMENT #1: The Missouri Association of Area Agencies on Aging suggested further defining facility in the definition of focal point in section (32). RESPONSE: The focal point definition is consistent with the definition in the Older Americans Act. No changes have been made to the amendment as a result of this comment.

COMMENT #2: The Missouri Association of Area Agencies on Aging inquired if Highest Level Evidence-Based Programs (HLEB) defined in section (36) are the only programs eligible under Title III-D of the Older Americans Act (OAA), and is the determination at the discretion of the State Unit on Aging (SUA). RESPONSE: The Administration for Community Living (ACL) determines the eligibility under Title III-D of the OAA, the SUA does not have discretion as to eligibility determination under Title III-D of the OAA. No changes have been made to the amendment as a result of this comment.

COMMENT #3: The Missouri Association of Area Agencies on Aging inquired if the changes to the definition of information and assistance in section (39) will affect tracking of information and assistance units. RESPONSE: The changes to the definition of information and assistance will not affect the tracking information and assistance units. No changes have been made to the amendment as a result of this comment.

COMMENT #4: The Missouri Department of Health and Senior Services commented that the term “food stamps” referenced in the definition of “contributions” in section (25) should be changed to “Supplemental Nutrition Assistance Program (SNAP)” to reflect the correct terminology. RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comment and will change “food stamps” to “Supplemental Nutrition Assistance Program (SNAP)” in section (25), to reflect the correct terminology of the name of the program.

19 CSR 15-4.010 Definition of Terms

(25) Contributions—Money or Supplemental Nutrition Assistance Program (SNAP) (for meals only) given voluntarily and confidentially toward the cost of a service received.
19 CSR 15-4.020 Administration of the Older Americans Act 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 334-335). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.040 State Plan 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 335). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.060 State Long-Term Care Ombudsman Program 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 337). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.070 Designation of Area Agencies on Aging 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 337-338). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.080 Withdrawal of Designation 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 338). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, and section 192.2305, RSMo Supp. 2021, the department amends a rule as follows:

19 CSR 15-4.080 Withdrawal of Designation 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 338). 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.

COMMENT #1: The Missouri Association of Area Agencies on Aging inquired if the department’s authority to withdraw the designation of an area agency on aging is a conflict of interest.

RESPONSE: The rule identifies the circumstances the department may withdraw the designation of an area agency on aging as pursuant to the Older Americans Act and section 192.2000, RSMo. No changes have been made to the amendment as a result of this comment.
Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.090 Appeal to the Assistant Secretary 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 338-339). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000 and 192.2020, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.100 Area Agency on Aging Governing Body 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 339). 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 Department of Health and Senior Services received one (1) comment on the proposed amendment.

COMMENT #1: The Missouri Association of Area Agencies on Aging inquired if the intent of the section (8) is that the board should notify the division of all staffing changes within thirty (30) days or is the intent specific to change in agency leadership.

RESPONSE: The rule requires the area agency on aging governing body to notify the division within thirty (30) days of any changes it makes to staff. No changes have been made to the amendment as a result of this comment.


A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 1, 2022 (47 MoReg 339-340). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.110 Area Agency on Aging Advisory Council 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 340). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.120 Affirmative Action/Equal Employment Opportunity/Preference in Hiring 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 340-341). 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.
Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.130 Area Agency on Aging Staff 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 341). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.135 Area Agency on Aging Director 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 341). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.140 Area Agency on Aging Plan 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 341-342). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.150 Waivers 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 342). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.2000 and 192.2025, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.160 Review, Submission, and Approval of Area Agency on Aging Area Plans and Plan Amendments 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 342-343). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.170 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 343-344). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received one (1) comment on the proposed amendment.

COMMENT #1: The Joint Committee on Administrative Rules commented that the references to the Code of Federal Regulations (CFR) in subsections (1)(B), (7)(C), (16)(A), (16)(B), and (16)(C) should be incorporated by reference in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed and will incorporate by reference the Code of Federal
Regulations (CFR) in subsections (1)(B), (7)(C), (16)(A), (16)(B), and (16)(C).

19 CSR 15-4.170 Area Agency on Aging Fiscal Management

(1) The area agency on aging shall establish a system to monitor financial expenditures of grants and contracts. In order to ensure adequate monitoring, at a minimum, the area agency on aging shall—

   (B) Document, through assessment reports, that expenditures are made in accordance with the provisions of 45 CFR Part 75, which has been incorporated by reference in this rule, as published on October 1, 2021, by the Office of the Federal Register, National Archives and Record Administration, 7G Street NW, Suite A-734, Washington, DC 20401-0001 and available at https://bookstore.gpo.gov/catalog/code-federal-regulations-cfrs-print. This rule does not incorporate any subsequent amendments or additions;

(7) The area agency on aging shall have an organization-wide audit completed by an independent certified public accountant yearly. Further requirements are as follows:

   (C) The criteria to be followed in auditing an area agency on aging shall be for—

   1. Governmental agencies, the audit provisions in 2 CFR Part 200, which has been incorporated by reference in this rule, as published on January 1, 2021, by the Office of the Federal Register, National Archives and Record Administration, 7G Street NW, Suite A-734, Washington, DC 20401-0001 and available at https://bookstore.gpo.gov/catalog/code-federal-regulations-cfrs-print, shall apply for fiscal years beginning after December 31, 1984. This rule does not incorporate any subsequent amendments or additions; and

   2. All other agencies, the audit provisions in 2 CFR Part 200 shall apply; and

(16) Any cost allocation plans and indirect costs rates shall be determined in accordance with the following guidelines:

   (A) For governments, 2 CFR Part 255, which has been incorporated by reference in this rule, as published on January 1, 2021, by the Office of the Federal Register, National Archives and Record Administration, 7G Street NW, Suite A-734, Washington, DC 20401-0001 and available at https://bookstore.gpo.gov/catalog/code-federal-regulations-cfrs-print, this rule does not incorporate any subsequent amendments or additions; and

   (B) For institutions of higher education, 2 CFR Part 220, which has been incorporated by reference in this rule, as published on January 1, 2021, by the Office of the Federal Register, National Archives and Record Administration, 7G Street NW, Suite A-734, Washington, DC 20401-0001 and available at https://bookstore.gpo.gov/catalog/code-federal-regulations-cfrs-print and as published in the Federal Register by OMB. This rule does not incorporate any subsequent amendments or additions;

   (C) For other nonprofit organizations, 2 CFR Part 230, which has been incorporated by reference in this rule, as published on January 1, 2021, by the Office of the Federal Register, National Archives and Record Administration, 7G Street NW, Suite A-734, Washington, DC 20401-0001 and available at https://bookstore.gpo.gov/catalog/code-federal-regulations-cfrs-print. This rule does not incorporate any subsequent amendments or additions.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.175 Funding for Establishment, Maintenance, Modernization, Acquisition, or Construction of Multipurpose Senior Centers 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 344-346). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.180 Area Agency on Aging Advocacy Responsibility 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 346). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:


A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 1, 2022 (47 MoReg 346-347). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.200 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 347-348). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.210 Area Agency on Aging Grievance Procedures 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 348-349). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.220 Area Agency on Aging Technical Assistance, Monitoring, and Evaluation Responsibilities 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 349). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.230 Multipurpose Senior Center 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 349-350). 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.
amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.240 Nutrition Service Requirements 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 350-352). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING
By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.245 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 359-362). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received eleven (11) comments on the proposed amendment.

COMMENT #1: The Missouri Association of Area Agencies on Aging inquired if subsection (12)(C) and section (13) are included in the proposed amendment.
RESPONSE: The proposed amendment includes subsection (12)(C) and section (13), as published in the Missouri Register on March 1, 2022 (47 MoReg 359-362). No changes have been made to the amendment as a result this comment.

COMMENT #2: The Missouri Association of Area Agencies on Aging inquired if the general requirements set forth in 19 CSR 15-7.010, cited within this amendment, are remaining in Chapter 7.
RESPONSE: The general requirements set forth in 19 CSR 15-7.010 will remain in Chapter 7; no changes were made to 19 CSR 15-7.010. No changes have been made to the amendment as a result this comment.

COMMENT #3: The Missouri Association of Area Agencies on Aging inquired if the annual training requirements in subsection (8)(D) will be changed to two (2) years.
RESPONSE AND EXPLANATION OF CHANGE: The department took into consideration the comment and the requirements of the federal food safety regulation, 21 CFR 117.315, and the retention period required in subsection (8)(D) will be changed to two (2) years.

COMMENT #4: The Missouri Association of Area Agencies on Aging inquired if the annual training requirements in subsection (3)(C) may be clarified and reduced for administrators from sixteen (16) to twelve (12) hours, cook from eight (8) to six (6) hours, cook helper from four (4) to two (2) hours.
RESPONSE: The department believes the training requirements are appropriate and the annual training requirements should not be reduced. No changes have been made to the amendment as a result this comment.

COMMENT #5: The Missouri Association of Area Agencies on Aging commented that removing section (5) “Nutrition Education” decreases the emphasis on being a nutrition program.
RESPONSE: The Older Americans Act provides that nutrition education should be provided based on the needs of meal participants. No changes have been made to the amendment as a result this comment.

COMMENT #6: PurFoods, LLC d/b/a Mom’s Meals inquired if “to the extent applicable to their jurisdiction” may be added to section (2).
RESPONSE: The general requirements for all service providers included in 19 CSR 15-7.010 are required by federal and state laws. No changes have been made to the amendment as a result this comment.

COMMENT #7: PurFoods, LLC d/b/a Mom’s Meals inquired if “to the extent applicable” may be added to subsection (4)(B) regarding the requirement for meal count reports for meals served.
RESPONSE: Meal counts, including this information, are required for the federal annual report pursuant to federal law. No changes have been made to the amendment as a result this comment.

COMMENT #8: PurFoods, LLC d/b/a Mom’s Meals inquired if “or other appropriate menu plan developed by an individual who meets the standards of 19 CSR 15-4.240(12)” may be added to subsection (6)(B) regarding the meal planning requirements.
RESPONSE: An area agency on aging that is unable to comply with a specific requirement shall request a waiver under 19 CSR 15-4.150, which establishes such procedure. No changes have been made to the amendment as a result this comment.

COMMENT #9: PurFoods, LLC d/b/a Mom’s Meals inquired if “at centers” may be added after “daily” in the first sentence of subsection (9)(H) regarding the food storage requirements.
RESPONSE: The addition of “at centers” is not needed. No changes have been made to the amendment as a result this comment.

COMMENT #10: PurFoods, LLC d/b/a Mom’s Meals inquired if “Except as otherwise required by law, an area agency on aging, with approval of the division, may waive any requirements relating to home-delivered meals service providers.” may be added to section (13) regarding requirements for home-delivered meals service providers.
RESPONSE: An area agency on aging that is unable to comply with a specific requirement shall request a waiver under 19 CSR 15-4.150, which establishes such procedure. No changes have been made to the amendment as a result this comment.
COMMENT #11: The Missouri Department of Health and Senior Services commented that the menu plan included in the amendment on page 23 should be removed, subsection (6)(F) that incorporated by reference the menu plan in the rule is removed by the amendment. The amendment removes the reference to the menu plan, as such the menu plan should also be removed from the amendment.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comment and will remove the menu plan included in the amendment on page 23. The amendment removed subsection (6)(F) that incorporated by reference the menu plan. The amendment removed subsection (6)(F) that referenced the menu plan, as such the menu plan on page 23 should also be removed in the amendment.

19 CSR 15-4.245 Nutrition Service Standards

(8) Requirements for handling prepared foods are as follows:

(D) The proper equipment shall be used to maintain hot foods at or above one hundred forty degrees Fahrenheit (140°F) and cold foods at or below forty-one degrees Fahrenheit (41°F) while serving. Hot and cold food temperatures shall be checked immediately prior to service and recorded daily. Records must be kept for two (2) years at the center;

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 15—Division of Senior and Disability Services

Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.250 Area Agency on Aging Nutrition Services

Incentive Program 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 352-353). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 15—Division of Senior and Disability Services

Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.2000 and 192.2310, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.280 Ombudsman Services 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 354). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 15—Division of Senior and Disability Services

Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.290 Information and Assistance 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 354). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.295 Information and Assistance Service Standards 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 358-359). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.300 Record Keeping and Confidentiality 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 355). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.410 Transportation Service Standards 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 356-358). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 251.070, 536.023, and 192.2000, RSMo 2016, the department amends a rule as follows:

19 CSR 15-4.440 Division Formal Hearings 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 355-356). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 15—Division of Senior and Disability Services
Chapter 6—Alternative Services

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 251.070 and 536.023, RSMo 2016, the department rescinds a rule as follows:

19 CSR 15-6.020 Division Mediation Procedures is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the Missouri Register on March 1, 2022 (47 MoReg 355). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.001 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 415-417). 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.
Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.010 Approval is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 417-418). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.030 Change of Sponsorship is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 418-419). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.035 Multiple Campuses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 419). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.040 Program Changes Requiring Board Approval, Notification, or Both is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 419). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.060 Administrator/Faculty is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 420). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.070 Physical Facilities and Instructional Resources is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 421). 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.
amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.080 Clinical Experiences is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 421). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.085 Preceptors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 421). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.100 Educational Program is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 421-422). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.120 Publications is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 422-423). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.130 Program Evaluation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 423). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

ORDER OF RULEMAKING
By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-2.180 Licensure Examination Performance is amended.

A notice of proposed rulemaking containing the text of the proposed
amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 423-424). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs of Practical Nursing  

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-3.001 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 424-425). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs of Practical Nursing  

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-3.010 Approval is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 425-427). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs of Practical Nursing  

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-3.030 Change in Sponsorship is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 427). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs of Practical Nursing  

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-3.035 Multiple Campuses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 427-428). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**  
Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs of Practical Nursing  

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-3.040 Program Changes Requiring Board Approval, Notification, or Both is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 428). 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.
20 CSR 2200-3.060 Administrator/Faculty is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 428-429). 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.

20 CSR 2200-3.070 Physical Facilities and Instructional Resources is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 429). 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.

20 CSR 2200-3.080 Clinical Experiences is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 430). 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.

20 CSR 2200-3.120 Publications is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 431). 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.
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20 CSR 2200-3.130 Program Evaluation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 431-432). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-3.180 Licensure Examination Performance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 432-433). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.010 Approval is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 434-435). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.030 Change in Sponsorship is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 435-436). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.035 Multiple Campuses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 436). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:
20 CSR 2200-8.040 Program Changes Requiring Board Approval, Notification, or Both is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 436). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  
Division 2200—State Board of Nursing  
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.060 Administrator/Faculty is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 436-437). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  
Division 2200—State Board of Nursing  
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.070 Physical Facilities and Instructional Resources is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 437-438). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  
Division 2200—State Board of Nursing  
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.080 Clinical Experiences is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 438). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  
Division 2200—State Board of Nursing  
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.085 Preceptors is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 438). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE  
Division 2200—State Board of Nursing  
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.100 Educational Program is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 438-440). 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.
335.036, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2200-8.120 Publications is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the Missouri Register on March 15, 2022 (47 MoReg 440). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Pharmacy under sections 338.240 and 338.280, RSMo 2016, and sections 338.010, 338.140, and 338.210, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2220-2.010 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 362-371). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 8—Minimum Standards for Approved Veteran’s Bridge Programs of Practical Nursing

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Pharmacy under sections 338.240 and 338.280, RSMo 2016, and sections 338.010, 338.140, and 338.210, RSMo Supp. 2021, the board amends a rule as follows:

20 CSR 2220-2.010 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 362-371). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 2200—State Board of Nursing
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Pharmacy under
COMMENT #4: CVS Health expressed concerns regarding proposed subsection (1)(C), which would require that pharmacies provide "adequate staffing and resources . . . to allow licensees/registrants to safely and accurately provide pharmacy services." CVS Health suggested the proposed language is overly broad, may be confusing for pharmacy personnel, and could lead to subjective board enforcement. CVS Health further alleges subjective enforcement would not afford pharmacy permit holders proper due process.

RESPONSE: Pharmacists play a critical role in providing patient care and protecting the public health. The board has received a concerning number of complaints from board licensees/registrants alleging pharmacy staffing/resources are insufficient to provide safe patient care. In line with these concerns, the American Pharmacists Association, the National Alliance of State Pharmacy Associations, and the National Association of Boards of Pharmacy recently endorsed a pharmacist’s right “to a working environment where the necessary resources are allocated to provide both legally required patient care services, as well as any additional enhanced patient care services offered.” Subsection (1)(C) would enhance patient protection by ensuring Missouri pharmacies are adequately staffed and resourced. The proposed language aligns with a standards of practice approach (see board response to comment #2) and would grant pharmacies needed flexibility to tailor staffing/resources to their individual needs, as opposed to the board imposing a uniform requirement/definition that may not be appropriate for all practice settings (e.g., mandatory staffing ratios). In regards to due process, the Missouri Administrative Procedures Act affords licensees/registrants due process protections in the event the board takes official action. As a result, no changes have been made in response to the comment.

COMMENT #5: CVS Health suggested the board amend subsection (3)(C) to allow licensees to produce records within seventy-two (72) business hours of a board request, instead of the proposed two (2) hours. CVS Health suggested many pharmacy records are kept in manual form and additional time may be needed to locate and provide the documentation.

RESPONSE AND EXPLANATION OF CHANGE: The board has amended the rule to address the concerns raised and to be consistent with other board record production requirements.

20 CSR 2220-2.010 Pharmacy Standards of Operation

(3) Record Keeping. Pharmacy records must be accurately maintained in compliance with applicable state and federal law. Records required by Chapters 195 and 338, RSMo, or divisions 20 CSR 2220 and 19 CSR 30 shall be available for inspection, photographing, or duplication by a board representative.

(C) Unless otherwise provided by law, records required by Chapter 338 or 20 CSR 2220 that do not have a specified retention time must be kept for two (2) years and readily retrievable at the request of the board or the board’s authorized designee. Records maintained at a pharmacy must be produced immediately or within two (2) hours of a request from the board or the board’s authorized designee, or by making a computer terminal available to the inspector for immediate use to review the records requested. Records not maintained at a pharmacy must be produced within three (3) business days of a board request.

20 CSR 2220-2.011 Electronic Final Product Verification (Pharmacists)

(1) Pharmacist Verification. A Missouri licensed pharmacist may use an electronic verification system to verify the accuracy of a final prescription/medication order, provided—

(A) The electronic verification system allows the pharmacist to see an exact, clear, and unobstructed visual image or images of the filled prescription/medication order contents and the label affixed to the container. If multiple units are being dispensed, the pharmacist must be able to see and verify an image or images of each unit and each individual affixed label. A mechanism must be in place to record or communicate the pharmacist’s verification approval;
(2) Technology Requirements. Electronic verification systems must be maintained in good working order and must provide a clear, unobstructed visual image or images of the filled prescription/medication order contents and the affixed label for each individual prescription or medication order. Use of the electronic verification system must be terminated if the system is not properly functioning and the root cause identified and corrected before further use. Prior to dispensing, a pharmacist shall review and authorize overrides performed by a pharmacy technician or intern pharmacist of any technology-generated errors, warnings, alerts, or exceptions related to system functioning or medication verification/accuracy. Documentation of the pharmacist’s review and authorization must be maintained in the pharmacy’s records.

(A) The electronic verification system must be implemented and validated by a pharmacist prior to initial use to confirm proper functioning. The system must be revalidated by a pharmacist in accordance with the pharmacy’s policies and procedures.

(B) Proof of compliance with validation/revalidation requirements must be documented and maintained in the pharmacy’s records, including but not limited to the identity of the pharmacist performing the required validation/testing and validation/testing date(s) and results.

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

**Division 2220—State Board of Pharmacy**

**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Pharmacy under sections 338.240 and 338.280, RSMo 2016, and sections 338.010 and 338.140, RSMo Supp. 2021, the board adopts a rule as follows:

20 CSR 2220-2.012 Technology Assisted Prescription/Medication Order Verification (Intern Pharmacists and Pharmacy Technicians) is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the Missouri Register on March 15, 2022 (47 MoReg 442-444). 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:** The board received four (4) comments on the rule as reflected below.

COMMENT #1: CVS Health suggested the rule allow technology-assisted verification (TAV) for all medication, including controlled substances. CVS Health suggested the proposed rule provides sufficient safeguards to protect patients if the allowance is expanded, provided the appropriate policies and procedures are implemented by the pharmacist-in-charge.

RESPONSE: In lieu of final verification by a pharmacist, the proposed rule will allow pharmacy technicians and intern pharmacists to perform TAV of non-controlled medication dispensed in the manufacturer’s original unopened unit of use package, or non-controlled medication that has been repackaged in compliance with the board’s rules and previously verified by a Missouri-licensed pharmacist. Other medications present a higher risk of medication errors due to required human intervention/manipulation and should be verified by a Missouri licensed pharmacist as reflected in the rule. Additionally, pharmacist verification of controlled substances is particularly appropriate given the higher risk of addiction and diversion for controlled substance medication. No changes have been made in response to the comment in the interest of patient safety.

COMMENT #2: CVS Health suggested removing the limit on the number of pharmacy technicians or intern pharmacists performing TAV that a pharmacist may simultaneously supervise. CVS Health alternatively recommended the board require the pharmacist-in-charge to “maintain sufficient staffing to ensure TAV is being safely and accurately performed,” without additional restrictions.

RESPONSE: Additional research and public comment would be appropriate prior to removing the proposed supervision limit to ensure patient protection and adequate pharmacist supervision. Public comment is particularly appropriate from staff pharmacists who may not have direct input on pharmacy staffing/assigned duties. No changes have been made in response to the comment at this time. However, the board will monitor rule implementation/compliance and review supervision limits during future rule discussions.

COMMENT #3: CVS Health suggested the board remove the requirement that TAV systems complete one thousand (1,000) consecutive product verifications during the initial validation process, and alternatively suggested allowing the pharmacist-in-charge to select the required sample size.

RESPONSE: The proposed one thousand (1,000) consecutive product verifications would better protect Missouri patients by ensuring uniform verification of system competency and reliability prior to initial use. No changes have been made in response to the comment. However, the board will monitor rule implementation/compliance and consider the suggestion during future rule discussions.

COMMENT #4: CVS Health alleges requiring pharmacies to notify the board of a dispensing error would violate the privilege/confidentiality protections provided by the Patient Safety and Quality Improvement Act of 2005.

RESPONSE: The board disagrees with CVS Health’s interpretation of the Patient Safety and Quality Improvement Act of 2005 (PSQI), which does not preempt the state’s legislatively judicially recognized authority to regulate the practice of pharmacy. Significantly, CVS Health’s argument would essentially shield all pharmacy records from board review if separately reported to a qualifying Patient Safety Organization (PSO). This interpretation places patients at risk and may lead to fraud and abuse. Additionally, the PSQI expressly provides patient safety work product does not include information that is collected, maintained, or developed separately, or exists separately, from a patient safety evaluation system [see 42 U.S.C. section 299b-21(7)]. The PSQI further provides, “such separate information or a copy thereof reported to a patient safety organization shall not by reason of its reporting be considered patient safety work product.” Moreover, supplementary comments to the final PSQI rule provide, “The Patient Safety Act does not affect any State law requiring a provider to report information that is not patient safety work product. The fact that information is collected, developed, or analyzed under the protections of the Patient Safety Act does not shield a provider from needing to undertake similar activities, if applicable, outside the ambit of the statute, so that the provider can meet its obligations with non-patient safety work product. The Patient Safety Act, while precluding other organizations and entities from requiring providers to provide them with patient safety work product, recognizes that the original records underlying patient safety work product remain available in most instances for the providers to meet these other reporting requirements.” No changes have been made in response to the comment.

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

**Division 2220—State Board of Pharmacy**

**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Pharmacy under
sections 338.240 and 338.280, RSMo 2016, and sections 338.010, 338.140, and 338.210, RSMo Supp. 2021, the board amends a rule as follows:

**20 CSR 2220-2.090 Pharmacist-in-Charge is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 372-374). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The board received three (3) comments on the amendment from two (2) entities, as reflected below.

**COMMENT #1:** Walgreens filed a comment suggesting the board amend subsection (1)(A) which would require permit holders to consult with the pharmacist-in-charge (PIC) prior to modifying or expanding pharmacy services and provide the PIC an opportunity to give input. Walgreens suggested the requirement would lead to “unintended consequences by creating a barrier to open and honest dialogue” between pharmacy management and the PIC.

**RESPONSE:** Under Missouri law, the PIC is personally responsible for pharmacy compliance in conjunction with the permit holder, and can be individually disciplined for pharmacy violations. Inclusion of the PIC in pharmacy operational decisions that will impact the delivery of pharmacy services is appropriate and will better ensure patient safety. This collaboration is particularly appropriate given the PIC is responsible for, and aware of, daily pharmacy operations and capabilities. Additionally, the rule adopts a flexible approach that would allow permit holders to determine the appropriate mode, manner, and extent of PIC consultation for their individual practice setting. Significantly, subsection (1)(A) includes an exception for emergency/urgent situations, which should alleviate the concerns raised. As a result, no changes have been made in response to the comment.

**COMMENT #2:** CVS Health filed a comment suggesting the board amend subsection (1)(B), which requires that permit holders provide the PIC “designated time” to review compliance activities. CVS Health indicated “designated time” is undefined, which could lead to subjective board enforcement, confusion by pharmacy personnel, and interruptions in patient care. CVS Health suggested deleting the “designated time” requirement in its entirety.

**RESPONSE:** Under Missouri law, the PIC is personally responsible for pharmacy compliance in conjunction with the permit holder, and can be individually disciplined for pharmacy violations. The board believes designated time for the PIC to review pharmacy compliance while not engaged in answering phones, counseling patients, administering vaccines, and performing clinical services, is vitally important to ensuring patient safety. Significantly, the rule incorporates a flexible approach that would allow Missouri pharmacies to determine the appropriate time, scope, and manner of PIC review for their individual practice setting. In regards to defining terms, Missouri courts have held statutory/regulatory terms should be defined in accordance with their plain and ordinary meaning, which would be applicable in this case. As a result, no changes have been made in response to the comment.

**COMMENT #3:** CVS Health filed a comment regarding proposed subsection (1)(C), which provides PICs must have authority to temporarily suspend or restrict pharmacy operations if deemed reasonably necessary or appropriate to ensure the safe provision of pharmacy services or to ensure pharmacy compliance, pending final direction or approval from the permit holder. CVS Health alleges this grant of authority could interfere with patient care and suggested the rule instead require a mechanism for communication between the PIC and the permit holder.

**RESPONSE:** The PIC, in conjunction with the permit holder, is personally responsible for pharmacy compliance and ensuring patient safety, and can be individually disciplined for pharmacy violations. To ensure patient safety, PICs should have authority to temporarily suspend pharmacy operations in the event of a threat to patient safety or pharmacy compliance, pending final direction from the permit holder. Notably, the rule does not prohibit permit holders from establishing the communication measures suggested by CVS Health. Further, the PIC’s authority would be temporary until the permit holder is able to provide final direction or approval of the temporary suspension/modification. Prompt response and action by permit holders would prevent the interruptions in patient care identified by CVS Health. Accordingly, no change has been made in response to the comment.

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

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Pharmacy under sections 338.240 and 338.280, RSMo 2016, and sections 338.010 and 338.140, RSMo Supp. 2021, the board amends a rule as follows:

**20 CSR 2220-2.200 Sterile Compounding is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 15, 2022 (47 MoReg 444). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The board received one (1) comment on the amendment as reflected below.

**COMMENT #1:** Alison Smith filed a comment suggesting the board amend the rule to allow portability of aseptic skill technique skill assessments between pharmacies under common ownership that are compounding similar risk levels using similar compounding rooms/equipment. Ms. Smith suggested the amendment would increase patient access to compounding services, particularly for affiliated pharmacies that may need to quickly move staff between facilities.

**RESPONSE:** The board received similar public comments during the rule drafting process. The United States Pharmacopeia (USP) is in the process of revising USP Chapter 797 which establishes nationally recognized sterile compounding standards. Public comments on the draft USP revisions are scheduled to close on March 17, 2022. The board anticipates substantially revising 20 CSR 2220-2.200 after USP Chapter 797 is revised to align with national standards, including national standards for portability of technique assessments. No changes have been made in response to the comment at this time. However, the board will review the public comment and portability of technique assessments after USP Chapter 797 is finalized.
IN ADDITION

22 CSR 10-2.075 Review and Appeals Procedure

The Missouri Consolidated Health Care Plan (MCHCP) requests that a typographical error be corrected in subpart (3)(B)2. B.(V)(a) of this rule. The 800 area code should have been submitted and published as 888. MCHCP requests that the Administrative Rules Division of the Office of the Secretary of State correct this typographical error. The text for subpart (3)(B)2. B.(V)(a) will read as follows:

(a) First and second level preservice, first and second level post-service, and concurrent claim appeals must be submitted in writing to—

Anthem Blue Cross and Blue Shield
Attn: Grievance Department
PO Box 105568
Atlanta, Georgia 30348-5568
or by fax to (888) 859-3046

This correction will appear in the July 31, 2022, update to the Code of State Regulations.

IN ADDITION

22 CSR 10-3.075 Review and Appeals Procedure

The Missouri Consolidated Health Care Plan requests that a typographical error be corrected in subpart (3)(B)2. B.(V)(a) of this rule. The 800 area code should have been submitted and published as 888. MCHCP requests that the Administrative Rules Division of the Office of the Secretary of State correct this typographical error. The text for subpart (3)(B)2. B.(V)(a) will read as follows:

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Anthem Blue Cross and Blue Shield
Attn: Grievance Department
PO Box 105568
Atlanta, Georgia 30348-5568
or by fax to (888) 859-3046

This correction will appear in the July 31, 2022, update to the Code of State Regulations.
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 WINDING UP FOR LIMITED LIABILITY COMPANY 
TO ALL CREDITORS OF AND CLAIMANTS AGAINST 
ADVANTAGE TITLE & ABSTRACT LLC

On April 25, 2022, ADVANTAGE TITLE & ABSTRACT LLC, a Missouri Limited Liability Company (the “Company”), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective as of April 25, 2022.

All persons with claims against the Company may submit any claim in accordance with this notice to: Alisha J. Pitts, 11180 E 1350 Rd, Stockton, MO 65785. All claims must include the name, address, and telephone number of the claimant; the amount claimed; the basis for the claim; the documentation of the claim; and the date(s) of the event(s) on which the claim is based occurred.

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

NOTICE OF WINDING UP 
TO ALL CREDITORS OF AND CLAIMANTS AGAINST 
PROVENCE HOMES, INC.

On March 31, 2022, Provence Homes, Inc. filed its Notice of Winding Up for Provence Homes, Inc. with the Missouri Secretary of State. Provence Homes, Inc. requests that all persons and organizations who have claims against it present them immediately by letter to John Lober at 3700 NW 100th Street, Kansas City, MO 64154.

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

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

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST MOUND CITY CONSTRUCTION, LLC.

On May 30, 2022, Mound City Construction, LLC, filed its Notice of Winding Up with the Missouri Secretary of State.

Claims against the corporation must be submitted to Gerardo Vega, 939 Holly Hills Ave., Apt. 2E, Saint Louis, MO 63111.

Claims must contain: 1) claimant name, address, and telephone number; 2) the amount claimed; 3) the date on which the claim arose; & 4) a brief description of the basis of the claim, including supporting documentation.

All claims against Mound City Construction, LLC will be barred unless proceedings to enforce the claim are commenced within three (3) years of the date of this notice’s publication.
NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST TRI-COM, INC.

Tri-Com, Inc., a Missouri Corporation, filed voluntary Articles of Dissolution with the Missouri Secretary of State on April 27, 2022. Any and all claims against Tri-Com, Inc. may be sent to Checkett, Pauly, Bay & Morgan, L.L.C. Attn: Sarah, P.O. Box 409, Carthage, Missouri 64836. Each such claim should include the following: The name, address and telephone number of the claimant; amount of the claim; the basis of the claim; and any and all pertinent documents supporting the claim.

NOTICE: Any and all claims against Tri-Com, Inc. will be barred unless a proceeding to enforce the claim is commenced within two years after the date of publication of this notice.

NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
GARDEN VALLEY MANOR & REHAB, LLC

On June 3, 2022, Garden Valley Manor & Rehab, L.L.C, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Garden Valley Manor & Rehab, L.L.C, requests that all persons and organizations who have claims against it present them immediately by letter to Garden Valley Manor & Rehab, LLC, 111 Old Orchard Rd, Bonne Terre MO 63628.

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

All claims against Garden Valley Manor & Rehab, LLC, will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE TO UNKNOWN CREDITORS OF
MOFFET AVENUE MACHINE SHOP, LLC

Moffet Avenue Machine Shop, LLC (the “Company”) has been dissolved pursuant to Section 347.137 of the Missouri Limited Liability Company Act by filing Articles of Termination with the Missouri Secretary of State on June 7, 2022. Pursuant to Section 347.141 of the Missouri Limited Liability Company Act, any claims against the Company must be sent to:

Eric Graham
4900 Main Street, Suite 900
Kansas City, MO 64112

Claims submitted must include the following information: (1) claimant name, address and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the claimant; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

NOTICE: A CLAIM AGAINST THE LIMITED LIABILITY COMPANY WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN THREE (3) YEARS AFTER THE PUBLICATION OF THIS NOTICE.

Please confirm receipt of this publication request. Please contact me at the email or telephone number listed below if you have any questions regarding this publication.
NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
ST. FRANCOIS MANOR RESIDENTIAL CARE I, LLC

On June 3, 2022, St. Francois Manor Residential Care I, LLC, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. St. Francois Manor Residential Care I, LLC, requests that all persons and organizations who have claims against it present them immediately by letter to St. Francois Manor Residential Care I, LLC, 111 Old Orchard Rd, Bonne Terre MO 63628.

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

All claims against St. Francois Manor Residential Care I, LLC, will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

NOTICE OF WINDING UP
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
WHITE OAK MANOR, LLC

On June 3, 2022, White Oak Manor, LLC, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. White Oak Manor, LLC, requests that all persons and organizations who have claims against it present them immediately by letter to White Oak Manor, LLC, 111 Old Orchard Rd, Bonne Terre MO 63628.

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

All claims against White Oak Manor, LLC, will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

On May 25, 2022, Seasons Entertainment Group, LLC (“LLC”), a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, Charter # LC0760698. All claims against LLC should be submitted in writing by mail to the LLC in care of Elizabeth Jones, 10 Willowyck Ct, St Louis, MO 63141. Claims must include name and address of claimant; amount claimed; date claim arose; brief description of basis of claim; and documentation of claim. Deadline for receipt of claim by LLC is 90 calendar days from date of this notice. All claims against LLC will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.
NOTICE TO CREDITORS AND CLAIMANTS OF
KANSAS CITY SOCIAL INVESTMENT POOL, LLC

KANSAS CITY SOCIAL INVESTMENT POOL, LLC, a Missouri limited liability company (the "Company"), has dissolved and is in the process of winding up its affairs.

On May 19, 2022, the Company filed a Notice of Winding Up with the Missouri Secretary of State pursuant to RSMo. Section 347.137.

All claims against the Company should be presented in accordance with this notice. Claims should be in writing and sent to the Company at this mailing address:

Alicia M. Johnson
4001 Blue Parkway, Suite 300
Kansas City, MO 64130

The claim must contain: (1) the name, address and telephone number of the claimants; (2) the amount of the claim or other relief demanded; (3) the basis of the claim and any documents related to the claim; and (4) the date(s) as of which the event(s) on which the claim is based occurred. Any and 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 DISSOLUTION TO ALL CREDITORS
AND CLAIMANTS AGAINST MARKO’S DISTRIBUTING, INC.

On June 3, 2022, Marko’s Distributing, Inc. filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on May 24, 2022.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against Marko’s Distributing, Inc., you must submit a summary in writing of the circumstances surrounding your claim to the said Marko’s Distributing, Inc. at the following address: Marko’s Distributing, Inc., C/O Robert Cowherd, Attorney at Law, P.O. Box 228, Chillicothe, MO 64601. Telephone: 660-646-0627.

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 Marko’s Distributing, 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 MARSHALL LANDS, INC.

NOTICE IS HEREBY GIVEN that Marshall Lands, Inc., a Missouri corporation (hereinafter the “Corporation”) filed its Articles of Dissolution with the Missouri Secretary of State on February 8, 2022.

You are hereby notified that if you believe you have a claim against the Corporation, you must submit the details of your claim in writing to Marshall Lands, Inc., c/o James Marshall, P.O. Box 3, Charleston, Missouri 63834-8102, which shall include the following information: the name, address and phone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and any documentation for the claim.

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

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST LUCKY 7 PARTNERSHIP

NOTICE IS HEREBY GIVEN that Lucky 7 Partnership, a Missouri Partnership (hereinafter the “Partnership”) is dissolving and winding up its affairs.

You are hereby notified that if you believe you have a claim against the Partnership, you must submit the details of your claim in writing to Lucky 7 Partnership c/o James Marshall, P.O. Box 3, Charleston, Missouri 63834-8102, which shall include the following information: the name, address and phone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and any documentation for the claim.

All claims against the Partnership will be barred unless a proceeding to enforce the claim is commenced within three (3) 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 cite 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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- **5 CSR 30-660.090**  
  Charter School Local Education Agency (LEA) Attendance Hour Reporting  
  Publication: 47 MoReg 779  
  Effective: May 3, 2022  
  Expiration: Feb. 9, 2023

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- **6 CSR 10-2.190**  
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  Publication: 47 MoReg 473  
  Effective: March 3, 2022  
  Expiration: Aug. 29, 2022

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- **13 CSR 65-2.020**  
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- **13 CSR 70-15.010**  
  Inpatient Hospital Services Reimbursement Methodology  
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- **13 CSR 70-15.015**  
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- **13 CSR 70-15.110**  
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- **13 CSR 70-15.160**  
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- **13 CSR 70-15.220**  
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- **13 CSR 70-15.230**  
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- **15 CSR 50-5.010**  
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- **15 CSR 50-5.020**  
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- **15 CSR 50-5.030**  
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- **15 CSR 50-5.050**  
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- **20 CSR 2150-5.100**  
  Collaborative Practice Arrangement with Nurses  
  Publication: 47 MoReg 621  
  Effective: April 21, 2022  
  Expiration: Oct. 7, 2022

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- **20 CSR 2200-4.200**  
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  Publication: 47 MoReg 622  
  Effective: April 21, 2022  
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- **20 CSR 2220-2.200**  
  Sterile Compounding  
  Publication: 47 MoReg 409  
  Effective: Feb. 24, 2022  
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- **20 CSR 2220-2.400**  
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  Publication: This Issue  
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<td>22-03</td>
<td>Terminates the State of Emergency declared in Executive Order 22-02.</td>
<td>June 24, 2022</td>
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<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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<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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<td>2021</td>
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<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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<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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<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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<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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<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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<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>21-07</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>21-05</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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<td>21-04</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>
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<td>21-03</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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<td>21-02</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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<td>January 28, 2021</td>
<td>46 MoReg 394</td>
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<td>21-01</td>
<td>Terminates Executive Orders 03-11 and 02-05, and modifies provisions of Executive Order 05-06</td>
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Rulemaking Classes

Are you new to rulemaking or in need of a refresher course to assist you in filing rules or understanding the rulemaking process?

The Administrative Rules Division offers group and individual classes for rule drafting and preparation of rule packets. Please call Curtis at (573) 751-2022 or email curtis.treat@sos.mo.gov to schedule a class.

*We offer both in-person and virtual classes.*
Administrative Rules Contact Information

General Inquiries
(573) 751-4015
rules@sos.mo.gov

Curtis W. Treat, Editor-in-Chief
(573) 751-2022
curtis.treat@sos.mo.gov

Stephanie Martin, Managing Editor
(573) 522-2196
stephanie.martin@sos.mo.gov

Jacqueline D. White, Publication Specialist II
(573) 526-1259
jacqueline.white@sos.mo.gov

Vonne Kilbourn, Editor II
(573) 751-1818
vonne.kilbourn@sos.mo.gov

Jennifer Alex Moore, Editor
(573) 522-2593
jennifer.moore@sos.mo.gov

Tammy Winkelman, Administrative Aide III
(573) 751-4015
tammy.winkelman@sos.mo.gov