

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 that has been changed from the text 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 that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

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

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education (board) under sections 160.405, 161.092, 165.121, 167.201, and 178.430, RSMo 2016, the board amends a rule as follows:

5 CSR 30-4.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 872-874). 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 Elementary and Secondary Education (department) received one (1) comment on the proposed amendment.

COMMENT #1: The Division of Financial and Administrative Services, during a review of its proposed amendment, noted the documents incorporated by reference did not include a date of publication.

RESPONSE AND EXPLANATION OF CHANGE: The department added the reference dates for each publication in sections (7) and (8).

**5 CSR 30-4.030 Audit Policy and Requirements**

(7) *The Single Audit Act Amendments of 1996*, 62 FR 35278-35319, and the Office of Management and Budget (OMB) *Uniform Grant Guidance*, 2 CFR Part 200, are hereby incorporated by reference and made a part of this rule as published by the Office of the Federal Register, April 2022, and are available by contacting the Office of Administration, Publications Office, Room 2200, New Executive Office Building, Washington, DC. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at <https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials>. This rule does not incorporate any subsequent amendments or additions.

(8) *The Government Auditing Standards*, issued by the Comptroller General of the United States, are hereby incorporated by reference and made a part of this rule as published by the U.S. Government Accountability Office, 441 G St. NW, Washington, DC 20548, April 2022. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at <https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials>. This rule does not incorporate any subsequent amendments or additions.

**Title 10 – DEPARTMENT OF NATURAL RESOURCES  
Division 140 – Division of Energy  
Chapter 8 – Certification of Renewable Energy and  
Renewable Energy Standard Compliance Account**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Natural Resources under section 393.1030.4., RSMo Supp. 2022, the department withdraws a proposed amendment as follows:

**10 CSR 140-8.010 Certification of Renewable Energy and  
Renewable Energy Standard Compliance Account  
is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1082-1083). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Department of Natural Resources' Division of Energy received comments on the proposed amendment. A party also noted that the proposal was not posted to the department's online Regulatory Action Tracking System.

RESPONSE: As a result of the procedural error noted above, the department is withdrawing this rulemaking.

**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. 2022, the division amends a rule as follows:

**11 CSR 70-2.120 Retail Licensees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 874-875). No changes have been made to 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:** Ronald Leone with the Missouri Petroleum & Convenience Association is concerned that the language in 11 CSR 70-2.120(5) could negatively impact video lottery terminal legislation that has been proposed, but has not passed. He believes this change will prevent gas stations, convenience stores, and truck stops from obtaining both a retail by drink license and an original package license, which he says is a requirement of the previously proposed legislation.

**RESPONSE:** The division currently does not issue both a retail by drink and an original package license at the same location. The retail by drink license allows for package sales, so these establishments could obtain a retail by drink license and still qualify for the video lottery terminal under previously proposed legislation. If the legislation is written to require both licenses at one location, it would be in direct conflict with what is currently allowed. For this reason, no changes have been made to this amendment as a result of this comment.

**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. 2022, the division amends a rule as follows:

**11 CSR 70-2.130 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 875-877). 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 six (6) comments on the proposed amendment:

**COMMENT #1:** Charles Smarr with Brydon, Swearingen & England questioned whether the proposed language in 11 CSR 70-2.130(11) would prevent licensees and their employees from being able to sample products as part of marketing and whether employees would be prevented from consuming intoxicating liquor while cleaning the establishment before and after they close.

**RESPONSE AND EXPLANATION OF CHANGE:** The division did not intend to remove the ability of a licensee or its employee to participate in samplings for marketing or educational purposes. The division has added language to clarify that this practice is still allowed. The division does not believe

that employees of a liquor licensee should be consuming intoxicating liquor while they are working, and therefore, no language will be changed to allow such.

**COMMENT #2:** George Randall with Randall's Wines and Spirits questioned whether the proposed language in 11 CSR 70-2.130(11) would invalidate the tasting license and is concerned that manufacturers who depend on tastings for their business will no longer be allowed to hold tastings.

**RESPONSE AND EXPLANATION OF CHANGE:** The division did not intend to remove the ability of a licensee or its employee to participate in samplings for marketing or educational purposes. The division has added language to clarify that this practice is still allowed.

**COMMENT #3:** Anthony Bommarito, Jr., with Bommarito Wines and Spirits stated that the proposed language in 11 CSR 70-2.130(11) takes away their ability to taste products alongside their customers, which is how they educate and market different products. He also stated that it is important for Missouri citizens to have the same opportunities as those in other states.

**RESPONSE AND EXPLANATION OF CHANGE:** The division did not intend to remove the ability of a licensee or its employee to participate in samplings for marketing or educational purposes. The division has added language to clarify that this practice is still allowed.

**COMMENT #4:** Tom Schawang with Breakthru Beverage stated that the proposed language in 11 CSR 70-2.130(11) would take away the ability for employees and agents of retailers to taste products during a tasting or wine class. He also stated that this revision would prohibit employees from tasting during private events and would prohibit wholesalers from providing samples to retailers.

**RESPONSE AND EXPLANATION OF CHANGE:** The division did not intend to remove the ability of a licensee or its employee to participate in samplings for marketing or educational purposes. The division has added language to clarify that this practice is still allowed.

**COMMENT #5:** Charles Andy Arnold with Arnold & Associates is concerned that the proposed language in 11 CSR 70-2.130(11) will impact wine tastings and special events held at retail establishments. He also stated that the current rule only applies to retail by the drink licenses and the proposed rule applies to all licenses.

**RESPONSE AND EXPLANATION OF CHANGE:** The division did not intend to remove the ability of a licensee or its employee to participate in samplings for marketing or educational purposes. The division has added language to clarify that this practice is still allowed. No other licensed premise is allowed to have consumption on premise besides retail by the drink licenses and consumption licenses, other than the provisions that allow for samples and tastings. Therefore, this change should have no impact and no language will be added or changed to address the comment.

**COMMENT #6:** Andrew Mullins with Missouri Medical Cannabis Trade Association stated that the proposed language in 11 CSR 70-2.130(14) would limit a licensee's ability to have a private room separate from the sale of intoxicating liquor to allow consumers who hold a medical marijuana card to smoke or imbibe medical marijuana in a designated area on the licensed premises.

**RESPONSE AND EXPLANATION OF CHANGE:** The division has added language to allow the use of medical marijuana on a licensed premises under certain circumstances.

**11 CSR 70-2.130 Retailer's Conduct of Business**

(11) No person holding a license for the retail sale of intoxicating liquor, nor their employees or agents, may consume any intoxicating liquor, in any quantity, while on duty or acting within the scope of employment or agency relationship. This provision shall not apply to a licensee, their employee, or agent who –

(A) Is conducting a tasting for one (1) or more customers and tastes the product, but does not consume or imbibe, to educate the consumer on the product; or

(B) Is sampling a new product presented by a salesperson marketing the product, as authorized by section 311.070.4(7) and/or 311.197, RSMo; or

(C) Is in the business, but is not on duty nor acting within the scope of employment, whether the establishment is open or closed to the public, so long as the licensee is allowed to be open pursuant to section 311.290, RSMo, or any other provision of Chapter 311 relating to opening and closing.

(14) No person holding a license for the retail sale of intoxicating liquor may permit any person to smoke or imbibe marijuana on or about the licensed premises or create any non-public or quasi-public areas on or about the licensed premises for marijuana usage anytime when intoxicating liquor is being sold, displayed for sale, or consumed. This provision may not preclude a licensee from hosting a private event during which persons holding a valid medical marijuana patient ID card issued by the Department of Health and Senior Services smoke or imbibe medical marijuana in a designated non-public or quasi-public area on or about the licensed premises. To be eligible, the event must occur during allowable hours of operation pursuant to section 311.290, RSMo, or any other provision of Chapter 311 relating to opening and closing; no intoxicating liquor may be sold, displayed for sale, or consumed on or about the licensed premises, and all refrigerators, cabinets, cases, boxes, and taps from which intoxicating liquor is dispensed shall be kept securely locked during the event; and written approval must be obtained from the supervisor of alcohol and tobacco control prior to the event.

**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. 2022, the division amends a rule as follows:

11 CSR 70-2.140 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 877-879). 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 seven (7) comments on the proposed amendment:

COMMENT #1: Charles Smarr with Brydon, Swearingen & England stated that the proposed language in 11 CSR 70-2.140(2) would require licensees to be responsible for actions of hired third parties unrelated to liquor and liquor-related actions not

authorized by the licensee.

RESPONSE AND EXPLANATION OF CHANGE: The division's intent is to only impact those actions related to intoxicating liquor. The division has revised the language to only include third-party actions approved by the licensee and related to intoxicating liquor.

COMMENT #2: Bill Teel with the Greater Kansas City Restaurant Association stated that the language in 11 CSR 70-2.140(6) (A) should be revised to allow licensees to store records off-premise and to be able to provide them within a reasonable period of time not to exceed 24 hours. He states that many restaurants don't have the space to maintain records onsite, some have their office at home and maintain records at their home, and some have multiple locations with a central office where records are kept.

RESPONSE AND EXPLANATION OF CHANGE: The division has revised the language to allow for records to be kept electronically instead of onsite. However, the records must be readily available upon request. During a time-sensitive audit or time-sensitive investigation, the division would need quick access to these documents, so a 24-hour waiting period may not always be a reasonable time frame.

COMMENT #3: Charles Smarr with Brydon, Swearingen & England stated that the proposed language in 11 CSR 70-2.140(6)(A) which requires licensees to keep records onsite is outdated in this electronic age. He also states that many large chain licensees keep their records at a central location and he requests that the requirement to keep records onsite be removed.

RESPONSE AND EXPLANATION OF CHANGE: The division has revised the language to allow for records to be kept electronically instead of onsite. However, the records must be readily available upon request.

COMMENT #4: Charles Smarr with Brydon, Swearingen & England questioned the proposed language in 11 CSR 70-2.140(8) which prohibits alternating proprietorships. He stated that the Federal Alcohol and Tobacco Tax and Trade Bureau (TTB) allows manufacturers to have alternating proprietorships, which allows them to produce on the same premise, but does not necessarily allow them to sell from the same premises. He asked for clarity and asked for the division to specify if this language should only be applied to wholesalers and retailers.

RESPONSE AND EXPLANATION OF CHANGE: The division agrees that this may cause confusion. The division has removed the language that prohibits alternating proprietorships, so as to avoid confusion.

COMMENT #5: Charles Smarr with Brydon, Swearingen & England stated that the proposed language in 11 CSR 70-2.140(9) which requires separate entrances to be in front does not fit the way some shared buildings are structured. He states that some entrances may be on the sides or the back of the building.

RESPONSE AND EXPLANATION OF CHANGE: The division agrees that some entrances may not be located in front and, thus, has revised the language to remove the requirement that separate entrances be in front.

COMMENT #6: Ronald Leone with the Missouri Petroleum & Convenience Association is concerned that the language in 11 CSR 70-2.140(9) could negatively impact video lottery terminal legislation that has been proposed, but has not passed. He believes this change will prevent gas stations, convenience stores, and truck stops from obtaining both a retail by drink license and an original package license, which he says is a

requirement of the previously proposed legislation.

RESPONSE: The division currently does not issue both a retail by drink and an original package license at the same location. The retail by drink license allows for package sales, so these establishments could obtain a retail by drink license and still qualify for the previously proposed video lottery terminal legislation. If the legislation is written to require both licenses at one location, it would be in direct conflict with what is currently allowed. For this reason, no changes have been made to this amendment as a result of this comment.

COMMENT #7: Charles Smarr with Brydon, Swearingen & England stated that the proposed language in 11 CSR 70-2.140(18) sets out that licensees may not sell or supply intoxicating liquor any place other than the licensed premises. He states that adding the word "supply" is confusing because deliveries are allowed to "supply" consumers with intoxicating liquor off the licensed premises. In addition, retailers may "supply" intoxicating liquor to individuals for free as long as the individual is 21 or older and not intoxicated.

RESPONSE AND EXPLANATION OF CHANGE: The division has added language to exclude deliveries of previously purchased intoxicating liquor from what would be considered supply.

#### 11 CSR 70-2.140 All Licensees

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

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

(A) All licensees are to keep all records pertaining to their business, including but not limited to files; books; papers; state, county and city licenses; and accounts and memoranda pertaining to the business conducted by them, on the licensed premises. Except for state, county and city licenses, electronic records may be kept in lieu of hard copies, but must be readily accessible.

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

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

or speaking system connecting one (1) business with the other. Separate files, records, and accounts pertaining to the businesses are to be maintained.

(18) No licensee, his/her agent, or employee may sell or supply intoxicating liquor in any place other than that designated on the license or at any other time or in any other manner except as authorized by the license. Order of and payment for any intoxicating liquor must be made directly to the licensee. For the purpose of this regulation, deliveries of intoxicating liquor previously purchased shall not constitute supply.

### 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. 2022, the division amends a rule as follows:

#### 11 CSR 70-2.150 Tax Credits and Refunds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 879). No changes have been made to 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. 2022, the division amends a rule as follows:

#### 11 CSR 70-2.190 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 879-881). 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: Tyler Rudd with the Wine Institute stated that the revision in 11 CSR 70-2.190(2) regarding pricing for substantively identical products adds ambiguity and subjectivity because distinguishing factors is not defined, and suppliers cannot know if such factors will impact the fair market value of the product.

RESPONSE AND EXPLANATION OF CHANGE: The intent of this change is to prevent wholesalers from putting a different UPC or barcode on the same product in order to charge an on-premise retailer a different price than an off-premise retailer. All retailers should be charged the same if the product is the

same. We have revised the language to remove the fair market value piece and to specify that a product is the same if the only distinguishing factor is the UPC or barcode.

**11 CSR 70-2.190 Unlawful Discrimination and Price Scheduling**

(2) For the purpose of this rule, substantively identical products refers to products that are indistinguishable from one another and products where the UPC or barcode is the only distinguishing factor.

**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. 2022, the division amends a rule as follows:

11 CSR 70-2.280 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2022 (47 MoReg 881-883). 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 two (2) comments on the proposed amendment:

COMMENT #1: Charles Smarr with Brydon, Swearngen & England stated that the proposed language in 11 CSR 70-2.280(1)(H) and 11 CSR 70-2.280(2)(I) should be modified to include the managing officer as a person of contact since 11 CSR 70-2.030 designates this individual as the person to receive correspondence from the state supervisor or a designated representative.

RESPONSE AND EXPLANATION OF CHANGE: The division has added the managing officer as a person of contact when violations are found during on-site and off-site investigations as explained in this regulation.

COMMENT #2: Charles Smarr with Brydon, Swearngen & England stated that the proposed language in 11 CSR 70-2.280(2)(K) is contrary to section 311.720.2(4), which requires the minor to answer truthfully to any questions regarding his or her age. Thus, allowing the governmental authority to not use the minor's information when placing the order is unfair to the shipping business and could potentially result in entrapment.

RESPONSE AND EXPLANATION OF CHANGE: The division has revised the language to require the use of the minor's information when placing orders.

**11 CSR 70-2.280 Standards for Using Minors in Intoxicating Liquor Investigations**

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

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

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

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

(K) The state, county, municipal, or other local law enforcement agency must place the order using the minor's information. Regardless of whether a violation occurs, said agency should attempt to recover any funds tendered to the seller and the person delivering or shipping the intoxicating liquor, or an amount equal thereto, and should further secure and inventory any intoxicating liquor delivered or shipped; and

**Title 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 70 – MO HealthNet Division  
Chapter 15 – Hospital Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153, 208.201, and 660.017, RSMo 2016, and section 208.152, RSMo Supp. 2022, the division amends a rule as follows:

13 CSR 70-15.015 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2022 (47 MoReg 990-995). Two (2) comments were received and changes have been made as a result. These changes are reprinted below. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

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

COMMENT #1: Christina Jenks, with the MO HealthNet Division, would like to make the following changes to the proposed regulation: Paragraph (1)(B)1. the word "increase" should be "increased." Subsection (1)(B) needs a new paragraph added to show the methodology for how MHD calculates the FFS portion of the outpatient direct Medicaid payment. Section (1) needs a new subsection added to show the methodology for how MHD calculates the outpatient direct Medicaid payment for new hospitals.

RESPONSE AND EXPLANATION OF CHANGE: The MHD has updated paragraph(1)(B)1. to include the word "increased" instead of "increase." The MHD has added paragraph (1)(B)2. to show the methodology for how MHD calculates the FFS portion of the outpatient direct Medicaid payment. The MHD has added subsection (1)(C) to show the methodology for how MHD calculates the outpatient direct Medicaid payment for new

hospitals.

COMMENT #2: From Kim Dugan, Vice President of Medicaid and FRA, and Amy Volkart, Director of Medicaid and FRA with MHA Management Services Corporation. On behalf of the Missouri Hospital Association and the 141 hospitals that comprise the membership, the following comments are offered for your consideration on the proposed amendment to 13 CSR 70-15.015 Direct Medicaid Payments. Paragraph (1)(B)1. states, "The Medicaid share of the outpatient FRA assessment will be calculated by dividing the hospital's outpatient Medicaid charges by the total outpatient hospitals charges ..." It is not clear whether the outpatient Medicaid charges include only fee-for-service charges or if they include Medicaid managed care charges as well. We recommend that the MO HealthNet Division clarify in the rule which charges are included in this calculation.

RESPONSE AND EXPLANATION OF CHANGE: The MHD has updated paragraph(1)(B)1. to clarify that the outpatient Medicaid charges include both fee-for-service and managed care.

### 13 CSR 70-15.015 Direct Medicaid Payments

#### (1) Outpatient Direct Medicaid Payments.

(A) Outpatient direct Medicaid payments will be made to hospitals for the following allowable MO HealthNet cost:

1. The increased MO HealthNet cost resulting from the Federal Reimbursement Allowance (FRA) assessment becoming an allowable cost on January 1, 1999.

(B) The MO HealthNet Division will calculate the outpatient direct Medicaid payment as follows:

1. The Medicaid share of the outpatient FRA assessment will be calculated by dividing the hospital's outpatient Medicaid charges, fee-for-service (FFS) and managed care (MC), by the total outpatient hospital charges, FFS, and MC, from the base year cost report to arrive at the Medicaid utilization percentage. This percentage is then multiplied by the outpatient FRA assessment for the current state fiscal year (SFY) to arrive at the increased allowable Medicaid cost for the outpatient FRA assessment; and

2. The FFS outpatient ratio will be calculated by dividing the hospital's outpatient FFS Medicaid charges by the hospital's outpatient Medicaid charges, FFS, and MC. This ratio is then multiplied by the increased allowable Medicaid cost for the outpatient FRA assessment to arrive at the FFS direct Medicaid payment.

(C) The MO HealthNet Division will calculate the outpatient direct Medicaid payment for new hospitals as follows:

1. In the absence of adequate cost data, a new hospital's Medicaid share of the outpatient FRA assessment shall be one hundred percent (100%) of the weighted average statewide Medicaid utilization percentage, as calculated in paragraph (1) (B)1., for the hospital type (i.e., acute care hospital, psychiatric hospital, long term care hospital, rehabilitation hospital). This percentage is then multiplied by the outpatient FRA assessment for the current SFY to arrive at the increased allowable Medicaid cost for the outpatient FRA assessment; and

2. In the absence of adequate cost data, a new hospital's FFS outpatient ratio shall be one hundred percent (100%) of the weighted average statewide FFS outpatient ratio, as calculated in paragraph (1)(B)2., for the hospital type (i.e., acute care hospital, psychiatric hospital, long term care hospital, rehabilitation hospital). This ratio is then multiplied by the increased allowable Medicaid cost for the outpatient FRA assessment to arrive at the FFS direct Medicaid payment.

(D) Effective for payments made on or after July 1, 2022, only the FFS component of the Medicaid share of the outpatient FRA assessment will be included in the outpatient direct Medicaid payment.

## Title 13 – DEPARTMENT OF SOCIAL SERVICES Division 70 – MO HealthNet Division Chapter 15 – Hospital Program

### ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.201, 208.453, 208.455, and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-15.110 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2022 (47 MoReg 996-1001). Changes have been made and are reprinted below. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The MO HealthNet Division received one (1) comment on the proposed amendment.

COMMENT #1: From Kim Dugan, Vice President of Medicaid and FRA, and Amy Volkart, Director of Medicaid and FRA with MHA Management Services Corporation. On behalf of the Missouri Hospital Association and the one hundred forty-one (141) hospitals that comprise the membership, the following comments are offered for your consideration on the proposed amendment to 13 CSR 70-15.110 Federal Reimbursement Allowance (FRA). Paragraph (1)(A)2. defines the base cost report; however, it is not consistent with the definition of base cost report found in 13 CSR 70-15.010. We recommend that the MO HealthNet Division use consistent definitions in the rules.

RESPONSE AND EXPLANATION OF CHANGE: The MHD updated the definition of base cost report in paragraph (1)(A)2. to be consistent with the definition of base cost report found in 13 CSR 70-15.010.

### 13 CSR 70-15.110 Federal Reimbursement Allowance (FRA)

(1) Federal Reimbursement Allowance (FRA). FRA shall be assessed as described in this section.

(A) Definitions.

1. Bad debts—Amounts considered to be uncollectible from accounts and notes receivable that were created or acquired in providing services. Allowable bad debts include the costs of caring for patients who have insurance, but their insurance does not cover the particular service procedures or treatment rendered.

2. Base year cost report—Audited Medicaid cost report from the third prior calendar year. If a hospital has more than one (1) cost report with periods ending in the third prior calendar year, the cost report covering a full twelve- (12-) month period will be used. If none of the cost reports covers a full twelve (12) months, the cost report with the latest period will be used. If a hospital's base year cost report is less than or greater than a twelve- (12-) month period, the data shall be adjusted, based on the number of days reflected in the base year cost report, to a twelve- (12-) month period. Any changes to the base year cost report after the division issues a final decision on assessment will not be included in the calculations.

3. Charity care—Those charges written off by a hospital based on the hospital's policy to provide health care services free of charge or at a reduced charge because of the indigence or medical indigence of the patient.

4. Contractual allowances—Difference between established rates for covered services and the amount paid by third-party payers under contractual agreements. The Federal

Reimbursement Allowance (FRA) is a cost to the hospital, regardless of how the FRA is remitted to the MO HealthNet Division, and shall not be included in contractual allowances for determining revenues. Any redistributions of MO HealthNet payments by private entities acting at the request of participating health care providers shall not be included in contractual allowances or determining revenues or cost of patient care.

5. Department – Department of Social Services.
6. Director – Director of the Department of Social Services.
7. Division – MO HealthNet Division, Department of Social Services.

8. Engaging in the business of providing inpatient health care – Accepting payment for inpatient services rendered.

9. Federal Reimbursement Allowance (FRA) – The fee assessed to hospitals for the privilege of engaging in the business of providing inpatient health care in Missouri. The FRA is an allowable cost to the hospital.

10. Fiscal period – Twelve- (12-) month reporting period determined by each hospital.

11. Gross hospital service charges – Total charges made by the hospital for inpatient and outpatient hospital services that are covered under 13 CSR 70-15.010.

12. Hospital – A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not fewer than twenty-four (24) hours in any week of three (3) or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or a place devoted primarily to provide, for not fewer than twenty-four (24) hours in any week, medical or nursing care for three (3) or more nonrelated individuals. The term hospital does not include convalescent, nursing, shelter, or boarding homes as defined in Chapter 198, RSMo.

13. Hospital revenues subject to FRA assessment effective July 1, 2008 – Each hospital’s inpatient adjusted net revenues and outpatient adjusted net revenues subject to the FRA assessment will be determined as follows:

A. Obtain “Gross Total Charges” from Worksheet G-2, Line 25, Column 3 from CMS 2552-96, or Worksheet G-2, Line 28, Column 3 from CMS 2552-10, of the third prior year cost report (i.e., FRA fiscal year cost report) for the hospital. Charges shall exclude revenues for physician services. Charges related to activities subject to the Missouri taxes assessed for outpatient retail pharmacies and nursing facility services shall also be excluded. “Gross Total Charges” will be reduced by the following:

(I) “Nursing Facility Charges” from Worksheet C, Part I, Line 35, Column 6 from CMS 2552-96, or Worksheet C, Part I, Line 45, Column 6 from CMS 2552-10;

(II) “Swing Bed Nursing Facility Charges” from Worksheet G-2, Line 5, Column 1 from CMS 2552-96, or Worksheet G-2, Line 6, Column 1 from CMS 2552-10;

(III) “Nursing Facility Ancillary Charges” as determined from the Department of Social Services, MO HealthNet Division, nursing home cost report. (Note: To the extent that the gross hospital charges, as specified in subparagraph (I)(A)13.A. above, include long-term care charges, the charges to be excluded through this step shall include all long-term care ancillary charges including skilled nursing facility, nursing facility, and other long-term care providers based at the hospital that are subject to the state’s provider tax on nursing facility services.);

(IV) “Distinct Part Ambulatory Surgical Center Charges” from Worksheet G-2, Line 22, Column 2 from CMS 2552-96, or Worksheet G-2, Line 25, Column 2 from CMS 2552-10;

(V) “Ambulance Charges” from Worksheet C, Part I,

Line 65, Column 7 from CMS 2552-96, or Worksheet C, Part I, Line 95, Column 7 from CMS 2552-10;

(VI) “Home Health Charges” from Worksheet G-2, Line 19, Column 2 from CMS 2552-96, or Worksheet G-2, Line 22, Column 2 from CMS 2552-10;

(VII) “Total Rural Health Clinic Charges” from Worksheet C, Part I, Column 7, Lines 63.50–63.59 from CMS 2552-96, or Worksheet C, Part I, Column 7, Line 88 and subsets from CMS 2552-10; and

(VIII) “Other Non-Hospital Component Charges” from Worksheet G-2, Lines 6, 8, 21, 21.02, 23, and 24 from CMS 2552-96, or Worksheet G-2, Lines 5, 7, 9, 21, 24, 26, and 27 from CMS 2552-10;

B. Obtain “Net Revenue” from Worksheet G-3, Line 3, Column 1. The state will ensure this amount is net of bad debts and other uncollectible charges by survey methodology;

C. “Adjusted Gross Total Charges” (the result of the computations in subparagraph (I)(A)13.A.) will then be further adjusted by a hospital-specific collection-to-charge ratio determined as follows:

(I) Divide “Net Revenue” by “Gross Total Charges”; and

(II) “Adjusted Gross Total Charges” will be multiplied by the result of part (I)(A)13.C.(I) to yield “Adjusted Net Revenue”;

D. Obtain “Gross Inpatient Charges” from Worksheet G-2, Line 25, Column 1 from CMS 2552-96, or Worksheet G-2, Line 28, Column 1 from CMS 2552-10, of the most recent cost report that is available for a hospital;

E. Obtain “Gross Outpatient Charges” from Worksheet G-2, Line 25, Column 2 from CMS 2552-96, or Worksheet G-2, Line 28, Column 2 from CMS 2552-10, of the most recent cost report that is available for a hospital;

F. Total “Adjusted Net Revenue” will be allocated between “Net Inpatient Revenue” and “Net Outpatient Revenue” as follows:

(I) “Gross Inpatient Charges” will be divided by “Gross Total Charges”;

(II) “Adjusted Net Revenue” will then be multiplied by the result to yield “Net Inpatient Revenue”; and

(III) The remainder will be allocated to “Net Outpatient Revenue”; and

G. The trend indices, if greater than 0%, will be determined based on the Health Care Costs index as published in *Healthcare Cost Review* by Institute of Health Systems (IHS), or equivalent publication, regardless of any changes in the name of the publication or publisher, for each State Fiscal Year (SFY). The trend indices listed below will be applied to the apportioned inpatient adjusted net revenue and outpatient adjusted net revenue in order to inflate or trend forward the adjusted net revenues from the FRA fiscal year cost report to the current state fiscal year to determine the inpatient and outpatient adjusted net revenues subject to the FRA assessment.

(I) SFY 2020 =

(a) Inpatient Adjusted Net Revenues – 0%

(b) Outpatient Adjusted Net Revenues – 2.9%

(II) SFY 2021 =

(a) Inpatient Adjusted Net Revenues – 3.2%

(b) Outpatient Adjusted Net Revenues – 0%

(III) SFY 2022 =

(a) Inpatient Adjusted Net Revenues – 4.2%

(b) Outpatient Adjusted Net Revenues – 0%

(IV) SFY 2023 =

(a) Inpatient Adjusted Net Revenues – 3.8%

(b) Outpatient Adjusted Net Revenues – 0%

**Title 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 70 – MO HealthNet Division  
Chapter 15 – Hospital Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153, 208.201, and 660.017, RSMo 2016, and section 208.152, RSMo Supp. 2022, the division amends a rule as follows:

13 CSR 70-15.160 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2022 (47 MoReg 1002-1005). 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 Missouri Department of Social Services, MO HealthNet Division (MHD) received one (1) comment on the proposed amendment.

**COMMENT #1:** Jamie Purnell, Clinical Program and Policy Unit Manager, MHD, commented that the *Outpatient Simplified Fee Schedule* (OSFS), which is incorporated by reference in paragraph (5)(B)2., needs to be updated to include the new COVID codes CMS recently published.

**RESPONSE AND EXPLANATION OF CHANGE:** The MHD updated the OSFS that is incorporated by reference in paragraph (5)(B)2. and the *Medical Fee Schedule* that is incorporated by reference in paragraph (5)(D)4.B. to include the new COVID codes CMS recently published.

**13 CSR 70-15.160 Outpatient Hospital Services Reimbursement Methodology**

(5) *Outpatient Simplified Fee Schedule* (OSFS) Payment Methodology.

(B) Effective for dates of service beginning July 20, 2021, outpatient hospital services shall be reimbursed on a predetermined fee-for-service basis using an OSFS based on the APC groups and fees under the Medicare Hospital OPSS. When service coverage and payment policy differences exist between Medicare OPSS and Medicaid, MHD policies and fee schedules are used. The fee schedule will be updated as follows:

1. MHD will review and adjust the OSFS annually on July 1 based on the payment method described in subsection (5) (D); and

2. The OSFS is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at <https://dss.mo.gov/mhd/providers/fee-for-service-providers.htm>, August 10, 2022. This rule does not incorporate any subsequent amendments or additions.

(D) Fee schedule methodology. Fees for outpatient hospital services covered by the MO HealthNet program are determined by the HCPCS procedure code at the line level and the following hierarchy:

1. The APC relative weight or payment rate assigned to the procedure in the Medicare OPSS *Addendum B* is used to calculate the fee for the service, with the exception of the hospital observation per hour fee which is calculated based on the method described in subparagraph (5)(D)1.B. Fees derived from APC weights and payment rates are established using the Medicare OPSS *Addendum B* effective as of January

1 of each year as published by the CMS for Medicare OPSS. The Medicare OPSS *Addendum B* is incorporated by reference and made a part of this rule as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, and available at <https://www.cms.gov/medicare/medicare-fee-service-payment/hospitaloutpatientpps/addendum-and-addendum-b-updates/january-2022-0>, January 18, 2022. This rule does not incorporate any subsequent amendments or additions.

A. The fee is calculated using the APC relative weight times the Missouri conversion factor. The resulting amount is then multiplied by the payment level adjustment of ninety percent (90%) to derive the OSFS fee.

B. The hourly fee for observation is calculated based on the relative weight for the Medicare APC (using the Medicare OPSS *Addendum A* effective as of January 1 of each year as published by the CMS for Medicare OPSS), which corresponds with comprehensive observation services multiplied by the Missouri conversion factor divided by forty (40), the maximum payable hours by Medicare. The resulting amount is then multiplied by the payment level adjustment of ninety percent (90%) to derive the OSFS fee. The Medicare OPSS *Addendum A* is incorporated by reference and made a part of this rule as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, and available at <https://www.cms.gov/medicare/medicare-fee-service-payment/hospitaloutpatientpps/addendum-and-addendum-b-updates/january-2022>, January 18, 2022. This rule does not incorporate any subsequent amendments or additions.

C. For those APCs with no assigned relative weight, ninety percent (90%) of the Medicare APC payment rate is used as the fee;

2. If there is no APC relative weight or APC payment rate established for a particular service in the Medicare OPSS *Addendum B*, then the MHD approved fee will be ninety percent (90%) of the rate listed on other Medicare fee schedules, effective as of January 1 of each year: Clinical Laboratory Fee Schedule; Physician Fee Schedule; and Durable Medical Equipment Prosthetics/Orthotics and Supplies Fee Schedule, applicable to the outpatient hospital service.

A. The Medicare *Clinical Laboratory Fee Schedule* is incorporated by reference and made a part of this rule as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, and available at <https://www.cms.gov/medicare/medicare-fee-service-payment/clinicallabfeeschedclinical-laboratory-fee-schedule-files/22clabq1>, December 29, 2021. This rule does not incorporate any subsequent amendments or additions.

B. The Medicare *Physician Fee Schedule* is incorporated by reference and made a part of this rule as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, and available at <https://www.cms.gov/medicare/medicare-fee-service-payment/physicianfeeschedpfs-carrier-specific-files/all-states-1>, December 18, 2021. This rule does not incorporate any subsequent amendments or additions.

C. The Medicare *Durable Medical Equipment Prosthetics/Orthotics and Supplies Fee Schedule* is incorporated by reference and made a part of this rule as published by the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, MD 21244, and available at <https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOSFeeSched/DMEPOS-Fee-Schedule>, December 15, 2021. This rule does not incorporate any subsequent amendments or additions;

3. Fees for dental procedure codes in the outpatient hospital setting are calculated based on thirty-eight and one half percent (38.5%) of the fiftieth percentile fee for Missouri reflected in the 2022 *National Dental Advisory Service* (NDAS).



The 2022 NDAS is incorporated by reference and made a part of this rule as published by Wasserman Medical & Dental at its website at <https://wasserman-medical.com/product-category/dental/ndas/>, and available at the MO HealthNet Division, 615 Howerton Court, Jefferson, City MO 65109, January 31, 2022. This rule does not incorporate any subsequent amendments or additions;

4. If there is no APC relative weight, APC payment rate, other Medicare fee schedule rate, or NDAS rate established for a covered outpatient hospital service, then a MO HealthNet fee will be determined using the MHD *Dental, Medical, Other Medical or Independent Lab—Technical Component* fee schedules.

A. The MHD *Dental Fee Schedule* is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, and available at <https://dss.mo.gov/mhd/providers/pages/cptagree.htm>, June 7, 2022. This rule does not incorporate any subsequent amendments or additions.

B. The MHD *Medical Fee Schedule* is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, and available at <https://dss.mo.gov/mhd/providers/pages/cptagree.htm>, August 8, 2022. This rule does not incorporate any subsequent amendments or additions.

C. The MHD *Other Medical Fee Schedule* is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, and available at <https://dss.mo.gov/mhd/providers/pages/cptagree.htm>, June 7, 2022. This rule does not incorporate any subsequent amendments or additions.

D. The MHD *Independent Lab—Technical Component Fee Schedule* is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, and available at <https://dss.mo.gov/mhd/providers/pages/cptagree.htm>, June 7, 2022. This rule does not incorporate any subsequent amendments or additions;

5. In-state federally-deemed critical access hospitals will receive an additional forty percent (40%) of the rate as determined in paragraph (5)(B)2. for each billed procedure code; and

6. Nominal charge providers will receive an additional twenty-five percent (25%) of the rate as determined in paragraph (5)(B)2. for each billed procedure code.

**Title 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 70 – MO HealthNet Division  
Chapter 15 – Hospital Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.201 and 660.017, RSMo 2016, the division amends a rule as follows:

**13 CSR 70-15.190 Out-of-State Hospital Services  
Reimbursement Plan is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1083-1085). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 70 – MO HealthNet Division  
Chapter 15 – Hospital Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.153, 208.201, and 660.017, RSMo 2016, and section 208.152, RSMo Supp. 2022, the division amends a rule as follows:

13 CSR 70-15.230 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2022 (47 MoReg 1006-1009). Changes have been made and are reprinted below. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The MO HealthNet Division received one (1) comment on the proposed amendment.

COMMENT #1: From Kim Dugan, Vice President of Medicaid and FRA, and Amy Volkart, Director of Medicaid and FRA with MHA Management Services Corporation. On behalf of the Missouri Hospital Association and the one hundred forty-one (141) hospitals that comprise the membership, the following comments are offered for your consideration on the proposed amendment to 13 CSR 70-15.230 Upper Payment Limit (UPL) Payment Methodology. Subsection (2)(A) states, “The available IP UPL gap is distributed to each hospital based on the hospital’s percent of estimated Medicaid payments for the coming SFY to total estimated payments for the coming SFY for all state government-owned hospitals.” We believe the distribution is based on the available room each hospital has compared to the previous year’s payments rather than on the estimated Medicaid payments for the coming SFY. We recommend that the MO HealthNet Division review its formula and clarify how the distribution is calculated.

RESPONSE AND EXPLANATION OF CHANGE: The MHD has updated the language in subsection (2)(A).

**13 CSR 70-15.230 Upper Payment Limit (UPL) Payment Methodology**

(2) Beginning with SFY 2023, state government-owned hospitals will be paid a semi-monthly payment up to the inpatient (IP) UPL gap.

(A) Prior to each SFY, the division shall calculate the estimated Medicaid payments for the coming SFY for each hospital. The total estimated Medicaid payments for each hospital shall be subtracted from the hospital’s IP UPL calculated in accordance to the methodology set forth below then summed to calculate the IP UPL gap. The IP UPL gap is reduced by the estimated inpatient fee-for-service Graduate Medical Education (GME) payments for the coming SFY for each hospital to calculate the total amount of funding available. The previous SFY’s payments are compared to current SFY’s estimated claims based payments and when the estimated current year payments is less than prior year payments, that hospital is eligible for a UPL payment. The available IP UPL gap is distributed to each eligible hospital based on the percent to total of the available room in the prior year and current year comparison. The available gap under the IP UPL for each eligible hospital will be aggregated to create the supplemental payment amount.

The total calculated supplemental payment amount will be paid to eligible hospitals.

1. The IP UPL will be determined based on the hospital's Medicaid inpatient costs using Medicare cost reporting principles. All Medicare cost report worksheet, column, or line references are based upon the Medicare Cost Report (MCR) CMS 2552-10 and should be adjusted for any CMS-approved successor MCR. The amount that Medicare would pay shall be calculated as follows:

A. Using Medicare cost report data within the previous two (2) years of the IP UPL demonstration dates in accordance with IP UPL guidelines set by CMS, Total Medicare Costs shall be derived from the reported Inpatient Hospital Cost on the following cost report variable locations:

(I) Worksheet D-1, Hospital/IPF/IRF Components, Column 1, Line 49;

(II) Plus Organ Acquisitions Cost from all applicable Worksheets D-4, Column 1, Line 69;

(III) Plus GME Aggregated Approved Amount from Worksheet E-4, Column 1, Line 49;

B. Total Medicare Patient Days shall be derived from Worksheet S-3, Part I, Column 6, Lines 14, 16, and 17 of the same cost report as the Total Medicare Costs;

C. A calculated Medicare Cost *Per Diem* shall be calculated by dividing the Total Medicare Costs by the hospital's Total Medicare Patient Days;

D. The calculated Medicare Cost *Per Diem* shall be multiplied by the total Medicaid Patient Days from a twelve-(12-) month data set from the prior two (2) years of the IP UPL demonstration dates in accordance with the IP UPL guidelines set by CMS to derive the hospital's IP UPL.

(I) The data source for the Medicaid Patient Days and Total Medicaid Payments shall be from the state's Medicaid Management Information System (MMIS) claims data;

E. The calculated IP UPL shall be inflated from the midpoint of the hospital's cost report period to the midpoint of the IP UPL demonstration period using the CMS Prospective Payment System (PPS) hospital market basket index; and

F. If payments in this section would result in payments to any category of hospitals in excess of the IP UPL calculation required by 42 CFR 447.272, payments for each eligible hospital receiving payments under this section will be reduced proportionately to ensure compliance with the IP UPL.

**Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

19 CSR 60-50.300 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1097-1100). 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 Missouri Health Facilities Review Committee received three (3) comments on the proposed

amendment.

COMMENT #1: Richard W. Hill of Lashly & Baer, P.C., suggests revising the amendment in 19 CSR 60-50.300(1): Mr. Hill noted concerns about what the phrase “direct financial interest” means in the proposed definition of “affiliate.” Third-party bankers or private individuals finance many CON projects. These entities may have a “direct financial interest” in the project, but they are not considered “affiliates” of the applicant under any reasonable semblance of that term. To give more clarity to proposed CON applicants, and to remove the confusion with respect to the “direct financial interest” issue, Mr. Hill suggests revising the proposed definition in the following manner: “Affiliate means an organization: (a) that owns five percent (5%) or more of the ownership interests in the operator; (b) in which the operator owns five percent (5%) or more of the ownership interests. Affiliates include, without limitation, a parent organization, joint venture, partner, or general partner.”

RESPONSE AND EXPLANATION OF CHANGE: The committee has amended section (1) to remove the wording “direct financial interest” in the organization.

COMMENT #2: Richard W. Hill of Lashly & Baer, P.C., supports the proposed amendment in 19 CSR 60-50.300(6).

RESPONSE: The committee thanks Mr. Hill for his comment. No change has been made to the amendment as a result of this comment.

COMMENT #3: Richard W. Hill of Lashly & Baer, P.C., supports the proposed amendment in 19 CSR 60-50.300(15) but suggests adding verbiage in the definition to include the request to relicense is not a new institutional health service.

RESPONSE: The committee thanks Mr. Hill for his comment, but the committee believes the definition is sufficient as written and, therefore, no change has been made to the amendment as a direct result of this comment.

**19 CSR 60-50.300 Definitions for the Certificate of Need Process**

(1) Affiliate means an organization:

(A) That owns five percent (5%) or more of the ownership interests in the operator; or

(B) In which the operator owns five percent (5%) or more of the ownership interests. Affiliates include, without limitation, a parent organization, joint venture, partner, or general partner.

**Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

19 CSR 60-50.400 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1100-1106). 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 Missouri Health Facilities Review Committee received one (1) comment on the proposed amendment.

COMMENT #1: Richard W. Hill of Lashly & Baer, P.C., suggests the proposed regulation 19 CSR 60-50.400(3), with respect to LTC bed expansions, is in conflict with state law and such projects do not require a CON application, only a Letter of Intent submission.

RESPONSE AND EXPLANATION OF CHANGE: The committee concurs and has deleted the amendment from this section. The committee will determine the appropriate process for LTC bed expansions that is consistent with statute and amend the section at a later time.

#### **19 CSR 60-50.400 Letter of Intent Process**

(3) A LTC bed expansion or replacement sought pursuant to sections 197.318.4 through 197.318.6, RSMo, requires a CON application if the capital expenditure for such bed expansion or replacement exceeds six hundred thousand dollars (\$600,000) but allows for shortened information requirements and review time frames.

### **Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60 – Missouri Health Facilities Review Committee Chapter 50 – Certificate of Need Program**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

19 CSR 60-50.410 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1106-1110). Changes have been made to the forms included herein. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received one (1) internal comment on the proposal amendment.

COMMENT #1: Alison Dorge, CON Program Coordinator for the department, commented that the effective date on the bottom of Letter of Intent form (MO 580-1860) was incorrect and should reflect (11/22) since the form is being updated with changes as submitted in the proposed rulemaking.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Health Facilities Review Committee concurs and has changed the effective date on form MO 580-1860.

#### **19 CSR 60-50.410 Letter of Intent Package**

Letter of Intent (MO 580-1860)





Certificate of Need Program  
**LETTER OF INTENT**

**7. Applicability** (Check the box below to indicate the rationale for the exemption or waiver being sought.)

**A Proposed Expenditure form (MO 580-2375) is required even if the project cost is "\$0".**

- If proposed expenditures are **less than the minimums** in §197.305(6), attach supporting documentation to illustrate how each of those amounts were determined, such as schematic drawings, equipment quotes, and contractor estimates.
- §197.305(9)(e) for additional long term care beds in the same category (certified as RCF/ALF, ICF or SNF) in a RCF/ALF, nursing home, or acute care hospital costing less than \$600,000, and are 10 beds or 10% of that facility's existing capacity, whichever is less. The facility must have had no patient care class I deficiencies within the last 18 months and has maintained at least an 85% average occupancy rate for the previous 6 quarters.

If the proposal meets one of the **exemptions** or **exceptions** below, then check the appropriate box, and attach detailed documentation substantiating compliance with the statutory provisions as set out in Rule 19 CSR 60-50.410:

- §197.312 for an RCF/ALF previously owned and operated by the city of St. Louis; or
- If the proposal meets the definition of "**nonsubstantive projects**" in §197.305(10) and 19 CSR 60-50.300(13) for a **waiver** from review, complete both pages of this form as the first step in the process, and provide the rationale as to why the proposal should be deemed to be "nonsubstantive" in the space below.
- If the proposal meets the definition of "**purchase**" or "**replacement**" in §197.318(4) and 19 CSR 60-50.450(4) for an **exception** from review, complete both pages of this form, and provide the rationale in the space below, including attached schematics and other documentation as to why the proposal should be deemed to be "nonapplicable".

*Explain the rationale for the non-applicability letter request.*

**Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES****Division 60 – Missouri Health Facilities Review Committee****Chapter 50 – Certificate of Need Program****ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.420 Review Process is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1110). No changes have been made to 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 60 – Missouri Health Facilities Review Committee****Chapter 50 – Certificate of Need Program****ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.430 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1110-1122). Changes have been made to the forms included herein. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received one (1) internal comment and two (2) public comments on the proposed amendment.

COMMENT #1: Alison Dorge, CON Program Coordinator for the department, commented that the effective date on the bottom of forms MO 580-2501 New Hospital Application, MO 580-2502 New or Additional Long Term Care Bed Application, MO 580-2503 New or Additional Equipment Application, and MO 580-2506 Replacement Equipment Application are incorrect and should reflect (11/22) since the forms are being updated with changes as submitted in the proposed rulemaking.

RESPONSE AND EXPLANATION OF CHANGE: The Missouri Health Facilities Review Committee concurs and has changed the effective dates on the applicable forms.

COMMENT #2: Richard W. Hill of Lashly & Baer, P.C., suggests the proposed regulation 19 CSR 60-50.430(4)(D)2.D., will cause conflict between the CON applicant and CON staff when estimating to the nearest 5% versus the current 10% when deciding what portion of a zip code is inside an applicant's 15-mile radius.

RESPONSE: The committee thanks Mr. Hill for his comment, but the committee believes estimating to the nearest 5% gives

a more accurate estimate of the service area, and therefore no change has been made to the amendment as a direct result of this comment.

COMMENT #3: Richard W. Hill of Lashly & Baer, P.C., opposes the proposed regulation 19 CSR 60-50.430(7) stating that addressing letters to all facilities in an applicant's 15-mile radius or service area regarding the proposal is an undue burden on CON applicants and existing facilities can access the CON website for proposed CON projects.

RESPONSE: The committee thanks Mr. Hill for his comment, but the committee believes applicants should notify facilities in the 15-mile radius or service area of their proposal, and therefore no change has been made to the amendment as a direct result of this comment.

**19 CSR 60-50.430 Application Package**

MO 580-2501 New Hospital Application

MO 580-2502 New or Additional Long Term Care Bed Application

MO 580-2503 New or Additional Equipment Application

MO 580-2506 Replacement Equipment Application



Certificate of Need Program  
**NEW HOSPITAL APPLICATION**  
Applicant's Completeness Checklist and Table of Contents

Project Name: \_\_\_\_\_ Project No: \_\_\_\_\_

Project Description: \_\_\_\_\_

Done Page N/A Description

**Divider I. Application Summary:**

- \_\_\_\_\_ 1. Applicant Identification and Certification (Form MO 580-1861)
- \_\_\_\_\_ 2. Representative Registration (From MO 580-1869)
- \_\_\_\_\_ 3. Proposed Project budget (Form MO 580-1863) and detail sheet with documentation of costs.
- \_\_\_\_\_ 4. Provide documentation from MO Secretary of State that the proposed owner(s) and operator(s) are registered to do business in MO.

**Divider II. Proposal Description:**

- \_\_\_\_\_ 1. Provide a complete detailed project description.
- \_\_\_\_\_ 2. Provide the proposed number of licensed beds by medical specialty.
- \_\_\_\_\_ 3. Provide a timeline of events for the project, from CON issuance through project competition.
- \_\_\_\_\_ 4. Provide a legible city or county map showing the exact location of the proposed facility.
- \_\_\_\_\_ 5. Provide a site plan for the proposed project.
- \_\_\_\_\_ 6. Provide preliminary schematic drawings for the proposed project.
- \_\_\_\_\_ 7. Provide evidence that architectural plans have been submitted to the Department of Health and Senior Services.
- \_\_\_\_\_ 8. Provide the proposed square footage.
- \_\_\_\_\_ 9. Document ownership of the project site, or provide an option to purchase.
- \_\_\_\_\_ 10. Define the community to be served (service area: 2025 population, area, rationale).
- \_\_\_\_\_ 11. Provide utilization projections through the first three (3) **FULL** years of operation of the new beds.
- \_\_\_\_\_ 12. Identify specific community problems or unmet needs the proposal would address.
- \_\_\_\_\_ 13. Provide the methods and assumptions used to project utilization.
- \_\_\_\_\_ 14. Document that consumer needs and preferences have been included in planning this project and describe how consumers had an opportunity to provide input.
- \_\_\_\_\_ 15. Provide copies of any petitions, letters of support or opposition received.
- \_\_\_\_\_ 16. Document that providers of similar health services in the proposed service area have been notified of the application by a public notice in the local newspaper.
- \_\_\_\_\_ 17. Document that providers of all affected facilities in the proposed service area were addressed letters regarding the application.

**Divider III. Service Specific Criteria and Standards:**

- \_\_\_\_\_ 1. Document the methodology utilized to determine the need for the proposed hospital.
- \_\_\_\_\_ 2. Provide the most recent three (3) **FULL** years of evidence that the average occupancy of the same type(s) of beds at each other hospital in the proposed service area exceeds eighty percent (80%).
- \_\_\_\_\_ 3. Discuss the impact the proposed hospital would have on utilization of other hospitals in the geographic service area.
- \_\_\_\_\_ 4. Document the unmet need in the geographic service area for each type of bed being proposed according to the population-based need formula

**Divider IV. Financial Feasibility Review Criteria and Standards:**

- \_\_\_\_\_ 1. Document that the proposed costs per square foot are reasonable when compared to the latest "RS Means Construction Cost data"
- \_\_\_\_\_ 2. Document that sufficient financing is available by providing a letter from a financial institution or an auditor's statement indicating that sufficient funds are available.
- \_\_\_\_\_ 3. Provide Service-Specific Revenues and Expenses (Form MO 580-1865) for the latest three (3) years, and projected through three (3) **FULL** years beyond project completion.
- \_\_\_\_\_ 4. Document how patient charges are derived.
- \_\_\_\_\_ 5. Document responsiveness to the needs of the medically indigent.



Certificate of Need Program

**NEW OR ADDITIONAL LONG TERM CARE BED APPLICATION** (Use for RCF/ALF, ICF/SNF and LTCH beds)

Applicant's Completeness Checklist and Table of Contents

Project Name: \_\_\_\_\_ Project No: \_\_\_\_\_

Project Description: \_\_\_\_\_

Done	Page	N/A	Description
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**Divider I. Application Summary:**

1. Applicant Identification and Certification (Form MO 580-1861)
2. Representative Registration (From MO 580-1869)
3. Proposed Project budget (Form MO 580-1863) and detail sheet with documentation of costs.
4. Provide documentation from MO Secretary of State that the proposed owner(s) and operator(s) are registered to do business in MO.
5. State if the license of the proposed operator or any affiliate of the proposed operator has been revoked within the previous five (5) years.
6. If the license of the proposed operator or any affiliate of the proposed operator has been revoked within the previous 5 years, provide the name and address of the facility whose license was revoked.
7. State if the Medicare and/or Medicaid certification of any facility owned or operated by the proposed operator or any affiliate of the proposed operator has been revoked within the previous 5 years.
8. If the Medicare and/or Medicaid certification of any facility owned or operated by the proposed operator or any affiliate of the proposed operator has been revoked within the previous 5 years, provide the name and address of the facility whose Medicare and/or Medicaid certification was revoked.

**Divider II. Proposal Description:**

1. Provide a complete detailed project description.
2. Provide a timeline of events for the project, from CON issuance through project competition.
3. Provide a legible city or county map showing the exact location of the proposed facility.
4. Provide a site plan for the proposed project.
5. Provide preliminary schematic drawings for the proposed project.
6. Provide evidence that architectural plans have been submitted to the Department of Health and Senior Services.
7. Provide the proposed square footage.
8. Document ownership of the project site, or provide an option to purchase.
9. Define the community to be served.
10. Provide 2025 population projections for the 15-mile radius service area.
11. Identify specific community problems or unmet needs the proposal would address.
12. Provide historical utilization for each of the past three (3) years and utilization projections through the first three (3) FULL years of operation of the new LTC beds.
13. Provide the methods and assumptions used to project utilization.
14. Document that consumer needs and preferences have been included in planning this project and describe how consumers had an opportunity to provide input.
15. Provide copies of any petitions, letters of support or opposition received.
16. Document that providers of similar health services in the proposed 15-mile radius have been notified of the application by a public notice in the local newspaper.
17. Document that providers of all affected facilities in the proposed 15-mile radius were addressed letters regarding the application.

**Divider III. Service Specific Criteria and Standards:**

1. For ICF/SNF beds, address the population-based bed need methodology of fifty-three (53) beds per one thousand (1,000) population age sixty-five (65) and older.
2. For RCF/ALF beds, address the population-based bed need methodology of twenty-five (25) beds per one thousand (1,000) population age sixty-five (65) and older.
3. For LTCH beds, address the population-based bed need methodology of one-tenth (0.1) bed per one thousand (1,000) population.
4. Document any alternate need methodology used to determine the need for additional beds such as Alzheimer's, mental health or other specialty beds.
5. For any proposed facility which is designed and operated exclusively for persons with acquired human immunodeficiency syndrome (AIDS) provide information to justify the need for the type of beds being proposed.
6. If the project is to add beds to an existing facility, has the facility received a Notice of Noncompliance within the last 18 months as a result of a survey, inspection or complaint investigation? If the answer is yes, explain.

**Divider IV. Financial Feasibility Review Criteria and Standards:**

1. Document that the proposed costs per square foot are reasonable when compared to the latest "RS Means Construction Cost data"
2. Document that sufficient financing is available by providing a letter from a financial institution or an auditor's statement indicating that sufficient funds are available.
3. Provide Service-Specific Revenues and Expenses (Form MO 580-1865) for the latest three (3) years, and projected through three (3) FULL years beyond project completion.
4. Document how patient charges are derived.
5. Document responsiveness to the needs of the medically indigent.
6. For a proposed new skilled nursing or intermediate care facility, what percentage of your admissions would be Medicaid eligible on the first day of admission or become Medicaid eligible within 90 days of admission?
7. For an existing skilled nursing or intermediate care facility, what percentage of your admissions are Medicaid eligible on the first day of admission or becomes Medicaid eligible within 90 days of admission.





Certificate of Need Program  
**NEW OR ADDITIONAL EQUIPMENT APPLICATION**  
Applicant's Completeness Checklist and Table of Contents

Project Name: \_\_\_\_\_ Project No: \_\_\_\_\_

Project Description: \_\_\_\_\_

Done Page N/A Description

**Divider I. Application Summary:**

1. Applicant Identification and Certification (Form MO 580-1861)
2. Representative Registration (From MO 580-1869)
3. Proposed Project Budget (Form MO 580-1863) and detail sheet with documentation of costs.

**Divider II. Proposal Description:**

1. Provide a complete detailed project description and include equipment bid quotes.
2. Provide a timeline of events for the project, from CON issuance through project competition.
3. Provide a legible city or county map showing the exact location of the project.
4. Define the community to be served and provide the geographic service area for the equipment.
5. Provide other statistics to document the size and validity of any user-defined geographic service area.
6. Identify specific community problems or unmet needs the proposal would address.
7. Provide the historical utilization for each of the past three years and utilization projections through the first three (3) **FULL** years of operation of the new equipment.
8. Provide the methods and assumptions used to project utilization.
9. Document that consumer needs and preferences have been included in planning this project and describe how consumers had an opportunity to provide input.
10. Provide copies of any petitions, letters of support or opposition received.
11. Document that providers of similar health services in the proposed service area have been notified of the application by a public notice in the local newspaper.
12. Document that providers of all affected facilities in the proposed service area were addressed letters regarding the application.

**Divider III. Service Specific Criteria and Standards:**

1. For new units, address the minimum annual utilization standard for the proposed geographic service area.
2. For any new unit where specific utilization standards are not listed, provide documentation to justify the new unit.
3. For additional units, document compliance with the optimal utilization standard, and if not achieved, provide documentation to justify the additional unit.
4. For evolving technology address the following:
  - Medical effects as described and documented in published scientific literature;
  - The degree to which the objectives of the technology have been met in practice;
  - Any side effects, contraindications or environmental exposures;
  - The relationships, if any, to existing preventive, diagnostic, therapeutic or management technologies and the effects on the existing technologies;
  - Food and Drug Administration approval;
  - The need methodology used by this proposal in order to assess efficacy and cost impact of the proposal;
  - The degree of partnership, if any, with other institutions for joint use and financing.

**Divider IV. Financial Feasibility Review Criteria and Standards:**

1. Document that sufficient financing is available by providing a letter from a financial institution or an auditor's statement indicating that sufficient funds are available.
2. Provide Service-Specific Revenues and Expenses (Form MO 580-1865) projected through three (3) **FULL** years beyond project completion.
3. Document how patient charges are derived.
4. Document responsiveness to the needs of the medically indigent.



Certificate of Need Program  
**EQUIPMENT REPLACEMENT APPLICATION**  
Applicant's Completeness Checklist and Table of Contents

Project Name: \_\_\_\_\_ Project No: \_\_\_\_\_

Project Description: \_\_\_\_\_

Done Page N/A Description

**Divider I. Application Summary:**

- \_\_\_\_\_ 1. Applicant Identification and Certification (Form MO 580-1861)
- \_\_\_\_\_ 2. Representative Registration (From MO 580-1869)
- \_\_\_\_\_ 3. Proposed Project Budget (Form MO 580-1863) and detail sheet with documentation of costs.

**Divider II. Proposal Description:**

- \_\_\_\_\_ 1. Provide a complete detailed project description, CON project number of the existing equipment (if prev. CON approved), and include the type/brand of both the existing equipment and the replacement equipment.
- \_\_\_\_\_ 2. Provide a listing with itemized costs of the medical equipment to be acquired and bid quotes.
- \_\_\_\_\_ 3. Provide a timeline of events for the project, from CON issuance through project completion.

**Divider III. Service Specific Criteria and Standards:**

- \_\_\_\_\_ 1. Describe the financial rationale for the proposed replacement equipment.
- \_\_\_\_\_ 2. Document if the existing equipment has exceeded its useful life.
- \_\_\_\_\_ 3. Describe the effect the replacement unit would have on quality of care.
- \_\_\_\_\_ 4. Document if the existing equipment is in constant need of repair.
- \_\_\_\_\_ 5. Document if the lease on the current unit has expired.
- \_\_\_\_\_ 6. Describe the technological advances provided by the new unit.
- \_\_\_\_\_ 7. Describe how patient satisfaction would be improved.
- \_\_\_\_\_ 8. Describe how patient outcomes would be improved.
- \_\_\_\_\_ 9. Describe what impact the new unit would have on utilization.
- \_\_\_\_\_ 10. Describe any new capabilities that the new unit would provide.
- \_\_\_\_\_ 11. By what percent will this replacement increase patient charges.

*(If replacement equipment was not previously approved, also complete Divider IV below.)*

**Divider IV. Financial Feasibility Review Criteria and Standards:**

- \_\_\_\_\_ 1. Document that sufficient financing is available by providing a letter from a financial institution or an auditor's statement indicating that sufficient funds are available.
- \_\_\_\_\_ 2. Provide Service-Specific Revenues and Expenses (Form MO 580-1865) projected through three (3) **FULL** years beyond project completion.
- \_\_\_\_\_ 3. Document how patient charges are derived.
- \_\_\_\_\_ 4. Document responsiveness to the needs of the medically indigent.

**Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.440** Criteria and Standards for Equipment and New Hospitals **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1122). No changes have been made to 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 Missouri Health Facilities Review Committee received one (1) comment on the proposed amendment.

COMMENT #1: Richard W. Hill of Lashly & Baer, P.C., opposes the removal of 19 CSR 60-50.440(1)(A) concerning the population method of determining the need for equipment projects. Mr. Hill noted that the proposed amendment removes the population method of determining need for equipment projects, and instead relies solely on the utilization method of determining need for equipment projects. Mr. Hill notes that in virtually all instances, the population method is the only method with which applicants can attempt to comply. The CON staff maintains a repository of information related to the quantity and type of equipment that is operational in Missouri. This repository of information can be utilized with the population data provided by the state to actually perform the calculation required pursuant to the population method. However, Mr. Hill states that the CON staff does not maintain a repository of information with respect to how many procedures are performed with respect to the equipment in Missouri. Moreover, it is generally impossible for applicants to obtain that data, as existing operators are not required to report it. As such, it is incredibly common for applicants to be without any way to calculate the annual utilization of potential competitors and, therefore, they are generally without any way to comply with the utilization method of determining need for additional equipment. Mr. Hill states that if the committee would like applicants to provide annual utilization data for its potential competitors, then the committee should require the reporting of that data, similar to what is required for long-term care facilities. Otherwise, applicants have no hope of complying with the utilization method. As currently written, the proposed amendment will result in only one method to determine need for equipment projects, and applicants will have no viable means of doing so. Mr. Hill states that the proposed amendment risks being void on its face, due to its unreasonable burden requiring applicants to obtain data where none is available.

RESPONSE: The committee thanks Mr. Hill for his comment. However, the committee believes the utilization method only is sufficient when determining the need for new services, and therefore no change has been made to the amendment as a direct result of this comment.

**Title 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.450** Criteria and Standards for Long-Term Care **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1122-1125). No changes have been made to 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 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.470** Criteria and Standards for Financial Feasibility **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1125-1128). No changes have been made to 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 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.500** Additional Information **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1128). No changes have been made to 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 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**  
**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.700 Post-Decision Activity is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1128-1137). No changes have been made to 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 60 – Missouri Health Facilities Review Committee**  
**Chapter 50 – Certificate of Need Program**  
**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee under section 197.320, RSMo 2016, the Missouri Health Facilities Review Committee amends a rule as follows:

**19 CSR 60-50.800 Meeting Procedures is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2022 (47 MoReg 1137-1139). No changes have been made to 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 2010 – Missouri State Board of Accountancy**  
**Chapter 2 – General Rules**  
**ORDER OF RULEMAKING**

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board amends a rule as follows:

**20 CSR 2010-2.065 Requirements for Licensure through Reciprocity is amended.**

A notice of proposed rulemaking containing the text of the

proposed amendment was published in the *Missouri Register* on August 15, 2022 (47 MoReg 1233). No changes have been made to 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 2267 – Office of Tattooing, Body Piercing, and Branding**  
**Chapter 2 – Licensing Requirements**  
**ORDER OF RULEMAKING**

By the authority vested in the Office of Tattooing, Body Piercing, and Branding under section 324.522, RSMo 2016, the division rescinds a rule as follows:

**20 CSR 2267-2.034 Issuance of Temporary Courtesy License to Nonresident Military Spouse is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 15, 2022 (47 MoReg 1233-1234). 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.

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](mailto:adrules.dissolutions@sos.mo.gov).

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST O'MALLEY BEVERAGE, INC.**

You are hereby notified that O'MALLEY BEVERAGE, INC., a Missouri Corporation, the principal office which is located at c/o Ken Siemens, 3007 Frederick Avenue, St. Joseph, Missouri 64506, filed Articles of Dissolution by Voluntary Action with the Secretary of State of Missouri on October 5, 2022.

Any claims against O'MALLEY BEVERAGE, INC. may be sent to c/o Kenneth Siemens, 3007 Frederick Avenue, St. Joseph, Missouri 64506. Each claim should include the following: name, address, and telephone number of claimant; amount of claim; basis of the claim; and documentation supporting the claim.

All claims against O'MALLEY BEVERAGE, INC. will be barred unless a proceeding to enforce a claim is commenced within two years after the date this notice is published.

**NOTICE OF WINDING UP AND DISSOLUTION OF LIMITED LIABILITY COMPANY**

**TO ALL CREDITORS OF AND CLAIMANTS**

**AGAINST H & L REAL ESTATE INVESTMENTS, LLC**

On October 11, 2022, H & L Real Estate Investments, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Secretary of State of Missouri. The Company requests that any and all claims against the Company be presented by letter to the Company in care of Leisa A. Gwinn, 10713 Booth Avenue, St. Louis, Missouri 63114. All claims **must** include the name and address of claimant, the amount claimed, the basis for and description of the claim including the date on which the claim arose, and include copies of any supporting documentation. Any and all claims against the Company will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
P. LUCAS HOMES LLC**

On October 10, 2022, P. Lucas Homes LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Said company requests that all persons and organizations who have claims against it present them by letter immediately to the company in care of: Scott D. Buehler, Attorney at Law, 50 Hill Pointe Ct, Ste 200, St. Charles, MO 63303. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. Pursuant to § 347.141 RSMo, any claim against P. Lucas Homes LLC 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 AND DISSOLUTION****TO ALL CREDITORS OF AND CLAIMANTS AGAINST****MIDWEST PHYSICIANS COMPREHENSIVE HEALTH CARE, INC. (MWPCHC)**

On October 7, 2022, Midwest Physicians Comprehensive Health Care, Inc. (MWPCHC), a Missouri corporation (the "Company"), filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against the Company, you must submit a written summary of your claim to care of **Seigfreid Bingham, P.C. c/o Lori A. Beam, 2323 Grand Boulevard, Suite 1000, Kansas City, MO 64108.**

The summary of your claim must include the following information:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The approximate date of the claim;
4. A brief description of the nature of the debt or the basis for the claim; and
5. Any documentation of or related to the claim.

All claims against the Company will be barred unless they are received within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
ANNIE'S BREADS, LLC**

On October 13, 2022, Annie's Breads, LLC, filed its Notice of Winding Up for Annie's Breads, LLC with the Missouri Secretary of State. Annie's Breads, LLC requests that all persons and organizations who have claims against it present them immediately by letter to: Attorney Mallory V. Mayse, Registered Agent, Suite 411 – Guitar Building, 28 N. Eighth Street, Columbia, MO 65201.

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 Annie's Breads, 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 DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
L & M Liberty Properties, Inc.**

L & M Liberty Properties, Inc., a Missouri corporation, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State on August 18, 2022. The dissolution was effective on that date.

Any and all claims against L & M Liberty Properties, Inc., may be sent to J. Brian Hill, Esq., 2900 Brooktree Lane, Suite 100, Gladstone, Missouri 64119. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; documentation supporting the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against L & M Liberty Properties, Inc. will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date this notice is published.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
WOODBROOKE HOMES, LLC**

WOODBROOKE HOMES, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on September 21, 2022.

Any and all claims against WOODBROOKE HOMES, LLC, may be sent to Larry G. Schulz, Esq., 2900 Brooktree Lane, Suite 100, Gladstone, Missouri 64119. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; documentation supporting the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against WOODBROOKE HOMES, LLC will be barred unless a proceeding to enforce such claim is commenced within two (2) years after the date this notice is published.

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS AND CLAIMANTS  
AGAINST MCVEY TOOLS & EQUIPMENT SALES, INC.**

On October 28, 2022, McVey Tools & Equipment Sales, Inc., a Missouri corporation (hereinafter the "Corporation"), filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

Any Claims against the Corporation may be sent to: Bush & Patchett, L.L.C., Attn: Kerry Bush, 4240 Philips Farm Rd., Ste. 109, Columbia, MO 65201. Each claim must include the following information: name, address, and telephone number of the claimant; amount of claim; date of which the claim arose; basis for the claim; and documentation in support of the claim. All claims against the Corporation will be barred unless the proceeding to enforce the claim in commenced within two years after the publication of this notice.

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

On October 7, 2022, SMRH, LLC, a Missouri limited liability company, Charter Number LC0906882 (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective as of the filing date.

All persons or organizations having claims against the Company are required to present them immediately in writing to: Kirkland Woods & Martinsen LLP, Attn: Alice M. Haseltine, 5901 College Blvd., Suite 280, Overland Park, Kansas 66211.

Each claim must include: (1) claimant's name and current address; (2) the amount claimed; (3) the date the claim was incurred; and (4) a clear and concise statement of the facts supporting the claim.

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

**NOTICE OF WINDING UP TO ALL CREDITORS  
AND CLAIMANTS OF NEW BALLWIN PROPERTY, LLC**

You are hereby notified that New Ballwin Property, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 22<sup>nd</sup> day of September, 2022. In order to file a claim with the Company, you must furnish:

1. The name and address of the claimant;
2. Amount of claim;
3. Basis for the claim;
4. Documentation of the claim; and
5. The date(s) on which the event(s) on which the claim is based occurred.

The claim must be mailed to K. Andrew Weber, 200 North Third Street, St. Charles, Missouri 63301. A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.



**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
RJMCD, L.L.C.**

On October 18, 2022, RJMCD, L.L.C., a Missouri limited liability company (“Company”), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to RJMCD, L.L.C., c/o Frank C. Carnahan, Carnahan Evans PC, 2805 S. Ingram Mill Road, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant’s name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
JRMCD, L.L.C.**

On October 18, 2022, JRMCD, L.L.C., a Missouri limited liability company (“Company”), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to JRMCD, L.L.C., c/o Frank C. Carnahan, Carnahan Evans PC, 2805 S. Ingram Mill Road, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant’s name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

**NOTICE OF DISSOLUTION OF CORPORATION TO ALL CREDITORS OF AND CLAIMANTS AGAINST REGIONAL GROWTH CAPITAL, INC.**

Regional Growth Capital, Inc., a Missouri corporation (the "Corporation"), was dissolved on September 7, 2022 by filing Articles of Dissolution with the Missouri Secretary of State. The Corporation requests all persons and entities with claims against the Corporation present them in writing by mail to Regional Growth Capital, Inc., c/o Jenkins & Kling, P.C., 150 N. Meramec Ave., Suite 400, St. Louis, Missouri 63105. Each claim must include:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The basis of the claim;
4. The date(s) of the event(s) on which the claim is based occurred; and
5. Documentation in support of the claim.

NOTICE: Any and 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.

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.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	<b>OFFICE OF ADMINISTRATION</b> State Officials' Salary Compensation Schedule				47 MoReg 1457
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 60-4.110	Grain Inspection and Warehousing		47 MoReg 823		
2 CSR 60-5.100	Grain Inspection and Warehousing		47 MoReg 824		
2 CSR 80-2.190	State Milk Board		47 MoReg 966	47 MoReg 1596	
2 CSR 80-5.010	State Milk Board		47 MoReg 966	47 MoReg 1596	
2 CSR 90-10.020	Weights, Measures and Consumer Protection		47 MoReg 1424		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-5.900	Conservation Commission				47 MoReg 1459
3 CSR 10-7.433	Conservation Commission		47 MoReg 871	47 MoReg 1546	
3 CSR 10-7.705	Conservation Commission		47 MoReg 871	47 MoReg 1546	
3 CSR 10-9.354	Conservation Commission		47 MoReg 1501		
3 CSR 10-9.565	Conservation Commission		47 MoReg 1504		
3 CSR 10-11.111	Conservation Commission				47 MoReg 1343
3 CSR 10-11.115	Conservation Commission		47 MoReg 1281		
3 CSR 10-11.160	Conservation Commission		47 MoReg 1508		
3 CSR 10-11.184	Conservation Commission		47 MoReg 1281		
3 CSR 10-11.185	Conservation Commission		47 MoReg 1282		
3 CSR 10-11.215	Conservation Commission		47 MoReg 1285		
3 CSR 10-12.110	Conservation Commission		47 MoReg 1285		
3 CSR 10-12.135	Conservation Commission		47 MoReg 1285		
3 CSR 10-12.140	Conservation Commission		47 MoReg 1286		
3 CSR 10-12.145	Conservation Commission		47 MoReg 1289		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 80-6.010	Economic Development Programs		This Issue R		
4 CSR 85-1.010	Division of Business and Community Services		This Issue R		
4 CSR 85-3.010	Division of Business and Community Services		This Issue R		
4 CSR 85-3.020	Division of Business and Community Services		This Issue R		
4 CSR 85-3.030	Division of Business and Community Services		This Issue R		
4 CSR 85-3.040	Division of Business and Community Services		This Issue R		
4 CSR 85-3.050	Division of Business and Community Services		This Issue R		
4 CSR 260-1.010	Division of Savings and Loan Supervision		This Issue R		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-100.210	Division of Learning Services		47 MoReg 550		
5 CSR 20-400.220	Division of Learning Services	47 MoReg 1419	47 MoReg 1424		
5 CSR 20-400.370	Division of Learning Services		47 MoReg 1425		
5 CSR 20-400.610	Division of Learning Services		47 MoReg 1077		
5 CSR 20-500.250	Division of Learning Services		47 MoReg 780	47 MoReg 1596	
5 CSR 25-100.120	Office of Childhood		47 MoReg 1573		
5 CSR 25-100.330	Office of Childhood		47 MoReg 1078		
5 CSR 25-200.060	Office of Childhood		47 MoReg 1430		
5 CSR 25-400.105	Office of Childhood		47 MoReg 1576		
5 CSR 25-500.102	Office of Childhood		47 MoReg 1577		
5 CSR 30-4.030	Division of Financial and Administrative Services		47 MoReg 872	This Issue	
5 CSR 30-660.090	Division of Financial and Administrative Services	47 MoReg 779	47 MoReg 784	47 MoReg 1596	
<b>DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT</b>					
6 CSR 10-2.080	Commissioner of Higher Education		47 MoReg 1579R		
6 CSR 10-2.090	Commissioner of Higher Education		47 MoReg 1579R		
6 CSR 10-12.010	Commissioner of Higher Education		47 MoReg 623	47 MoReg 1335W	
<b>MISSOURI DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-1.010	Missouri Highways and Transportation Commission		47 MoReg 551	47 MoReg 1387	
7 CSR 10-1.020	Missouri Highways and Transportation Commission		47 MoReg 967		
7 CSR 10-11.020	Missouri Highways and Transportation Commission		47 MoReg 554	47 MoReg 1387	
7 CSR 10-17.020	Missouri Highways and Transportation Commission		47 MoReg 1508		
7 CSR 10-17.030	Missouri Highways and Transportation Commission		47 MoReg 1511		
7 CSR 10-17.040	Missouri Highways and Transportation Commission		47 MoReg 1512		
7 CSR 10-17.050	Missouri Highways and Transportation Commission		47 MoReg 1512		
7 CSR 10-17.060	Missouri Highways and Transportation Commission		47 MoReg 1514		
7 CSR 10-25.010	Missouri Highways and Transportation Commission		47 MoReg 967		
7 CSR 10-25.020	Missouri Highways and Transportation Commission		47 MoReg 1229		
7 CSR 10-25.030	Missouri Highways and Transportation Commission		47 MoReg 968		
7 CSR 10-25.070	Missouri Highways and Transportation Commission		47 MoReg 968		
7 CSR 10-25.071	Missouri Highways and Transportation Commission		47 MoReg 968		
7 CSR 10-25.080	Missouri Highways and Transportation Commission		47 MoReg 969		
7 CSR 10-25.090	Missouri Highways and Transportation Commission		47 MoReg 969		
7 CSR 60-1.010	Highway Safety and Traffic Division		47 MoReg 1515R		
			47 MoReg 1515		
7 CSR 60-1.020	Highway Safety and Traffic Division		47 MoReg 1516R		
			47 MoReg 1516		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
7 CSR 60-1.030	Highway Safety and Traffic Division		47 MoReg 1517R 47 MoReg 1517		
7 CSR 60-1.040	Highway Safety and Traffic Division		47 MoReg 1518R 47 MoReg 1518		
7 CSR 60-1.050	Highway Safety and Traffic Division		47 MoReg 1519R		
7 CSR 60-1.060	Highway Safety and Traffic Division		47 MoReg 1519R		
7 CSR 60-1.070	Highway Safety and Traffic Division		47 MoReg 1520R		
7 CSR 60-1.080	Highway Safety and Traffic Division		47 MoReg 1520R		
7 CSR 60-1.090	Highway Safety and Traffic Division		47 MoReg 1520R		
7 CSR 60-1.100	Highway Safety and Traffic Division		47 MoReg 1520R		
7 CSR 60-1.110	Highway Safety and Traffic Division		47 MoReg 1521R		
7 CSR 60-2.010	Highway Safety and Traffic Division		47 MoReg 824	47 MoReg 1679	
7 CSR 60-2.020	Highway Safety and Traffic Division		47 MoReg 826	47 MoReg 1679	
7 CSR 60-2.030	Highway Safety and Traffic Division		47 MoReg 826	47 MoReg 1679	
7 CSR 60-2.040	Highway Safety and Traffic Division		47 MoReg 827	47 MoReg 1679	
7 CSR 60-2.050	Highway Safety and Traffic Division		47 MoReg 827	47 MoReg 1680	
7 CSR 60-2.060	Highway Safety and Traffic Division		47 MoReg 828	47 MoReg 1680	
7 CSR 60-3.010	Highway Safety and Traffic Division		47 MoReg 828R 47 MoReg 828	47 MoReg 1680R 47 MoReg 1680	
7 CSR 265-10.017	Motor Carrier and Railroad Safety		47 MoReg 970		
7 CSR 265-10.025	Motor Carrier and Railroad Safety		47 MoReg 970		
7 CSR 265-10.035	Motor Carrier and Railroad Safety		47 MoReg 971		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 40-1.010	State Board of Mediation		47 MoReg 482	47 MoReg 1335	
8 CSR 40-2.010	State Board of Mediation		47 MoReg 483	47 MoReg 1335	
8 CSR 40-2.020	State Board of Mediation		47 MoReg 483R	47 MoReg 1336R	
8 CSR 40-2.025	State Board of Mediation		47 MoReg 483	47 MoReg 1336	
8 CSR 40-2.030	State Board of Mediation		47 MoReg 484	47 MoReg 1336	
8 CSR 40-2.040	State Board of Mediation		47 MoReg 484R	47 MoReg 1337R	
8 CSR 40-2.050	State Board of Mediation		47 MoReg 485R	47 MoReg 1338R	
8 CSR 40-2.055	State Board of Mediation		47 MoReg 485R	47 MoReg 1338R	
8 CSR 40-2.060	State Board of Mediation		47 MoReg 485R	47 MoReg 1338R	
8 CSR 40-2.070	State Board of Mediation		47 MoReg 485	47 MoReg 1338	
8 CSR 40-2.080	State Board of Mediation		47 MoReg 486	47 MoReg 1338	
8 CSR 40-2.090	State Board of Mediation		47 MoReg 486	47 MoReg 1338	
8 CSR 40-2.100	State Board of Mediation		47 MoReg 486	47 MoReg 1338	
8 CSR 40-2.120	State Board of Mediation		47 MoReg 487	47 MoReg 1339	
8 CSR 40-2.130	State Board of Mediation		47 MoReg 487	47 MoReg 1339	
8 CSR 40-2.140	State Board of Mediation		47 MoReg 487	47 MoReg 1340	
8 CSR 40-2.150	State Board of Mediation		47 MoReg 489	47 MoReg 1340	
8 CSR 40-2.160	State Board of Mediation		47 MoReg 489	47 MoReg 1341	
8 CSR 40-2.170	State Board of Mediation		47 MoReg 490	47 MoReg 1341	
8 CSR 40-2.180	State Board of Mediation		47 MoReg 490	47 MoReg 1341	
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-5.210	Director, Department of Mental Health		47 MoReg 1233		
9 CSR 30-3.190	Certification Standards		47 MoReg 1432R 47 MoReg 1433		
9 CSR 30-4.0432	Certification Standards		47 MoReg 569	47 MoReg 1455	
9 CSR 45-2.010	Division of Developmental Disabilities		47 MoReg 1580		
9 CSR 45-2.015	Division of Developmental Disabilities		47 MoReg 1585		
9 CSR 45-2.017	Division of Developmental Disabilities		47 MoReg 1587		
9 CSR 45-2.020	Division of Developmental Disabilities		47 MoReg 1591		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 20-6.010	Clean Water Commission		47 MoReg 1079		
10 CSR 20-6.200	Clean Water Commission		47 MoReg 1081		
10 CSR 25-7	Hazardous Waste Management Commission				47 MoReg 1388
10 CSR 90-2.010	State Parks		47 MoReg 1289		
10 CSR 90-2.030	State Parks		47 MoReg 1290		
10 CSR 90-2.050	State Parks		47 MoReg 1291		
10 CSR 140-2	Division of Energy				47 MoReg 1459
10 CSR 140-8.010	Division of Energy		47 MoReg 1082	This Issue W	
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 45-7.010	Missouri Gaming Commission		This Issue		
11 CSR 45-7.120	Missouri Gaming Commission		This Issue		
11 CSR 45-7.145	Missouri Gaming Commission		This Issue		
11 CSR 45-9.030	Missouri Gaming Commission		47 MoReg 1436		
11 CSR 45-9.104	Missouri Gaming Commission		47 MoReg 1436		
11 CSR 45-9.109	Missouri Gaming Commission		47 MoReg 1437		
11 CSR 45-9.112	Missouri Gaming Commission		47 MoReg 1592		
11 CSR 50-2.080	Missouri State Highway Patrol		47 MoReg 626	47 MoReg 1341	
11 CSR 50-2.150	Missouri State Highway Patrol		47 MoReg 627	47 MoReg 1342	
11 CSR 50-2.170	Missouri State Highway Patrol		47 MoReg 627	47 MoReg 1342	
11 CSR 50-2.320	Missouri State Highway Patrol		47 MoReg 628	47 MoReg 1342	
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		47 MoReg 874	This Issue	
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		47 MoReg 875	This Issue	
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		47 MoReg 877	This Issue	
11 CSR 70-2.150	Division of Alcohol and Tobacco Control		47 MoReg 879	This Issue	
11 CSR 70-2.190	Division of Alcohol and Tobacco Control		47 MoReg 879	This Issue	
11 CSR 70-2.280	Division of Alcohol and Tobacco Control		47 MoReg 881	This Issue	

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
12 CSR 10-41.010	<b>DEPARTMENT OF REVENUE</b> Director of Revenue	This Issue	This Issue		
	<b>DEPARTMENT OF SOCIAL SERVICES</b>				
13 CSR 40-37.010	Family Support Division		47 MoReg 1437R		
13 CSR 65-2.020	Missouri Medicaid and Audit Compliance	47 MoReg 543	47 MoReg 574	47 MoReg 1342	
13 CSR 70-3.030	MO HealthNet Division		47 MoReg 1291		
13 CSR 70-3.180	MO HealthNet Division		46 MoReg 1675 47 MoReg 237		
13 CSR 70-3.320	MO HealthNet Division		47 MoReg 883	47 MoReg 1546	
13 CSR 70-4.051	MO HealthNet Division		47 MoReg 886R	47 MoReg 1546R	
13 CSR 70-5.010	MO HealthNet Division		47 MoReg 886	47 MoReg 1547	
13 CSR 70-8.010	MO HealthNet Division		47 MoReg 1298		
13 CSR 70-15.010	MO HealthNet Division	47 MoReg 927	47 MoReg 973		
13 CSR 70-15.015	MO HealthNet Division	47 MoReg 944	47 MoReg 990	This Issue	
13 CSR 70-15.110	MO HealthNet Division	47 MoReg 950	47 MoReg 996	This Issue	
13 CSR 70-15.160	MO HealthNet Division	47 MoReg 956	47 MoReg 1002	This Issue	
13 CSR 70-15.190	MO HealthNet Division	47 MoReg 1061	47 MoReg 1083	This Issue	
13 CSR 70-15.220	MO HealthNet Division	47 MoReg 1062	47 MoReg 1085		
13 CSR 70-15.230	MO HealthNet Division	47 MoReg 960	47 MoReg 1006	This Issue	
13 CSR 70-20.042	MO HealthNet Division		47 MoReg 1437		
13 CSR 70-90.010	MO HealthNet Division		This Issue		
13 CSR 70-95.010	MO HealthNet Division		47 MoReg 1299		
13 CSR 70-97.010	MO HealthNet Division		This Issue		
13 CSR 70-98.030	MO HealthNet Division		47 MoReg 1438		
	<b>ELECTED OFFICIALS</b>				
15 CSR 30-14.010	Secretary of State		47 MoReg 886	47 MoReg 1455	
15 CSR 30-200.015	Secretary of State		47 MoReg 1677		
	<b>RETIREMENT SYSTEMS</b>				
16 CSR 10-5.010	The Public School Retirement System of Missouri		47 MoReg 1300		
16 CSR 10-5.020	The Public School Retirement System of Missouri		47 MoReg 829	47 MoReg 1455	
16 CSR 10-6.060	The Public School Retirement System of Missouri		47 MoReg 1301		
16 CSR 10-6.070	The Public School Retirement System of Missouri		47 MoReg 832	47 MoReg 1455	
16 CSR 50-1.010	The County Employees' Retirement Fund		47 MoReg 1677		
	<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>				
19 CSR 10-15.010	Office of the Director		47 MoReg 1593		
19 CSR 20-20.020	Division of Community and Public Health	47 MoReg 1369	47 MoReg 1371		
19 CSR 20-60.010	Division of Community and Public Health		47 MoReg 1521		
19 CSR 25-30.021	Missouri State Public Health Laboratory	This Issue	This Issue		
19 CSR 30-1.002	Division of Regulation and Licensure	47 MoReg 1481	47 MoReg 1522		
19 CSR 30-1.015	Division of Regulation and Licensure		47 MoReg 1375		
19 CSR 30-1.017	Division of Regulation and Licensure		47 MoReg 1378		
19 CSR 30-20.144	Division of Regulation and Licensure	47 MoReg 1495	47 MoReg 1532		
19 CSR 30-35.010	Division of Regulation and Licensure		47 MoReg 1538		
19 CSR 30-100.010	Division of Regulation and Licensure	47 MoReg 1265	47 MoReg 1305		
19 CSR 60-50	Missouri Health Facilities Review Committee				47 MoReg 1343 47 MoReg 1388 47 MoReg 1549 47 MoReg 1597
19 CSR 60-50.300	Missouri Health Facilities Review Committee		47 MoReg 1097	This Issue	
19 CSR 60-50.400	Missouri Health Facilities Review Committee		47 MoReg 1100	This Issue	
19 CSR 60-50.410	Missouri Health Facilities Review Committee		47 MoReg 1106	This Issue	
19 CSR 60-50.420	Missouri Health Facilities Review Committee		47 MoReg 1110	This Issue	
19 CSR 60-50.430	Missouri Health Facilities Review Committee		47 MoReg 1110	This Issue	
19 CSR 60-50.440	Missouri Health Facilities Review Committee		47 MoReg 1122	This Issue	
19 CSR 60-50.450	Missouri Health Facilities Review Committee		47 MoReg 1122	This Issue	
19 CSR 60-50.470	Missouri Health Facilities Review Committee		47 MoReg 1125	This Issue	
19 CSR 60-50.500	Missouri Health Facilities Review Committee		47 MoReg 1128	This Issue	
19 CSR 60-50.700	Missouri Health Facilities Review Committee		47 MoReg 1128	This Issue	
19 CSR 60-50.800	Missouri Health Facilities Review Committee		47 MoReg 1137	This Issue	
	<b>DEPARTMENT OF COMMERCE AND INSURANCE</b>				
20 CSR	Applied Behavior Analysis Maximum Benefit				47 MoReg 385
20 CSR	Construction Claims Binding Arbitration Cap				47 MoReg 43
20 CSR	Non-Economic Damages in Medical Malpractice Cap				47 MoReg 385
20 CSR	Sovereign Immunity Limits				47 MoReg 43
20 CSR	State Legal Expense Fund Cap				47 MoReg 43
20 CSR 500-4.300	Property and Casualty		47 MoReg 1381		
20 CSR 2010-2.065	Missouri State Board of Accountancy		47 MoReg 1233	This Issue	
20 CSR 2030-5.110	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-5.120	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-5.130	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
20 CSR 2030-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-14.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-14.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2030-14.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		This Issue		
20 CSR 2095-1.020	Committee for Professional Counselors		47 MoReg 1544		
20 CSR 2063-2.005	Behavior Analyst Advisory Board		47 MoReg 1594		
20 CSR 2063-2.010	Behavior Analyst Advisory Board		47 MoReg 1594		
20 CSR 2110-2.050	Missouri Dental Board		47 MoReg 887	47 MoReg 1547	
20 CSR 2120-1.040	State Board of Embalmers and Funeral Directors		47 MoReg 1443		
20 CSR 2120-2.010	State Board of Embalmers and Funeral Directors		47 MoReg 1443		
20 CSR 2120-2.060	State Board of Embalmers and Funeral Directors		47 MoReg 1445		
20 CSR 2145-1.040	Missouri Board of Geologist Registration		47 MoReg 784	47 MoReg 1387	
20 CSR 2145-2.065	Missouri Board of Geologist Registration		47 MoReg 1595R		
20 CSR 2150-5.024	State Board of Registration for the Healing Arts		47 MoReg 1381		
20 CSR 2165-2.010	Board of Examiners for Hearing Instrument Specialists		47 MoReg 887	47 MoReg 1547	
20 CSR 2165-2.025	Board of Examiners for Hearing Instrument Specialists		47 MoReg 888	47 MoReg 1547	
20 CSR 2165-2.040	Board of Examiners for Hearing Instrument Specialists		47 MoReg 889R	47 MoReg 1547R	
20 CSR 2165-2.060	Board of Examiners for Hearing Instrument Specialists		47 MoReg 889	47 MoReg 1547	
20 CSR 2220-2.400	State Board of Pharmacy	47 MoReg 965			
20 CSR 2220-2.685	State Board of Pharmacy		47 MoReg 835	47 MoReg 1548	
20 CSR 2220-6.025	State Board of Pharmacy		47 MoReg 1383		
20 CSR 2220-7.010	State Board of Pharmacy		47 MoReg 890	47 MoReg 1548	
20 CSR 2220-7.030	State Board of Pharmacy		47 MoReg 891	47 MoReg 1548	
20 CSR 2230-2.010	State Board of Podiatric Medicine		47 MoReg 1139	47 MoReg 1680	
20 CSR 2231-1.010	Division of Professional Registration		47 MoReg 835	47 MoReg 1456	
20 CSR 2231-2.010	Division of Professional Registration		47 MoReg 835	47 MoReg 1456	
20 CSR 2233-2.010	State Committee of Marital and Family Therapists		47 MoReg 1139	47 MoReg 1680	
20 CSR 2234-5.010	Board of Private Investigator and Private Fire Investigator Examiners		47 MoReg 892	47 MoReg 1548	
20 CSR 2245-2.020	Real Estate Appraisers		47 MoReg 1448		
20 CSR 2245-2.030	Real Estate Appraisers		47 MoReg 1448		
20 CSR 2245-3.010	Real Estate Appraisers		47 MoReg 1449		
20 CSR 2245-6.016	Real Estate Appraisers		47 MoReg 1450R		
20 CSR 2245-6.040	Real Estate Appraisers		47 MoReg 1450R		
20 CSR 2245-7.060	Real Estate Appraisers		47 MoReg 1450		
20 CSR 2245-8.020	Real Estate Appraisers		47 MoReg 1451		
20 CSR 2245-8.050	Real Estate Appraisers		47 MoReg 1451		
20 CSR 2250-8.070	Missouri Real Estate Commission		47 MoReg 633	47 MoReg 1342	
20 CSR 2263-2.031	State Committee for Social Workers		47 MoReg 892	47 MoReg 1548	
20 CSR 2267-2.020	Office of Tattooing, Body Piercing, and Branding		47 MoReg 1451		
20 CSR 2267-2.034	Office of Tattooing, Body Piercing, and Branding		47 MoReg 1233R	This IssueR	
20 CSR 4240-40.020	Public Service Commission		47 MoReg 1316		
20 CSR 4240-40.030	Public Service Commission		47 MoReg 1318		
22 CSR 10-2.089	<b>MISSOURI CONSOLIDATED HEALTH CARE PLAN</b> Health Care Plan	This Issue	This Issue		

**AGENCY PUBLICATION EFFECTIVE EXPIRATION**

**Department of Elementary and Secondary Education**

**Division of Learning Services**

5 CSR 20-400.220 Application for Substitute Certificate of License to  
Teach .....47 MoReg 1419 ..... Sept. 14, 2022. .... March 12, 2023

**Divisional of Financial and Administrative Services**

5 CSR 30-660.090 Charter School Local Education Agency (LEA)  
Attendance Hour Reporting .....47 MoReg 779 ..... May 3, 2022. .... Feb. 9, 2023

**Department of Revenue**

**Director of Revenue**

12 CSR 10-41.010 Annual Adjusted Rate of Interest .....This Issue ..... Jan. 1, 2023. .... June 29, 2023

**Department of Social Services**

**MO HealthNet Division**

13 CSR 70-15.010 Inpatient Hospital Services Reimbursement  
Methodology.....47 MoReg 927 ..... July 1, 2022. .... Feb. 23, 2023

13 CSR 70-15.015 Direct Medicaid Payments.....47 MoReg 944 ..... July 1, 2022. .... Feb. 23, 2023

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA) .....47 MoReg 950 ..... July 1, 2022. .... Feb. 23, 2023

13 CSR 70-15.160 Outpatient Hospital Services Reimbursement  
Methodology.....47 MoReg 956 ..... July 1, 2022. .... Feb. 23, 2023

13 CSR 70-15.190 Out-of-State Hospital Services Reimbursement Plan ...47 MoReg 1061..... July 1, 2022. .... Feb. 23, 2023

13 CSR 70-15.220 Disproportionate Share Hospital (DSH) Payments.....47 MoReg 1062 ..... July 1, 2022. .... Feb. 23, 2023

13 CSR 70-15.230 Upper Payment Limit (UPL) Payment Methodology....47 MoReg 960 ..... July 1, 2022. .... Feb. 23, 2023

**Department of Health and Senior Services**

**Division of Community and Public Health**

19 CSR 20-20.020 Reporting Infectious, Contagious, Communicable,  
or Dangerous Diseases .....47 MoReg 1369..... Aug. 29, 2022. .... Feb. 24, 2023

**Missouri State Public Health Laboratory**

19 CSR 25-30.021 Type I Permit.....This Issue ..... Nov. 16, 2022. .... May 14, 2023

**Division of Regulation and Licensure**

19 CSR 30-1.002 Schedules of Controlled Substances.....47 MoReg 1481.....Oct. 3, 2022. .... March 31, 2023

19 CSR 30-20.144 Standards and Guidelines for Essential  
Caregiver Program.....47 MoReg 1495.....Sept. 29, 2022. .... March 27, 2023

19 CSR 30-100.010 Newborn Safety Incubators .....47 MoReg 1265..... Aug. 12, 2022. .... Feb. 23, 2023

**Department of Commerce and Insurance**

**State Board of Pharmacy**

20 CSR 2220-2.400 Compounding Standards of Practice .....47 MoReg 965 ..... June 21, 2022. .... Dec. 17, 2022

**Missouri Consolidated Health Care Plan**

**Health Care Plan**

22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare  
Primary Members .....This Issue ..... Jan. 1, 2023. .... June 29, 2023

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

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
<b>2022</b>			
22-06	Closes executive branch state offices for Friday, November 25, 2022.	November 7, 2022	This Issue
<b>Proclamation</b>	Convenes the One Hundred First General Assembly in the First Extraordinary Session of the Second Regular Session regarding extension of agricultural tax credits and to enact legislation amending Missouri income tax.	August 22, 2022	47 MoReg 1420
22-05	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems.	July 26, 2022	47 MoReg 1279
22-04	Declares a drought alert for 53 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee.	July 21, 2022	47 MoReg 1277
<b>Proclamation</b>	In accordance with <i>Dobbs</i> , Section 188.017, RSMo is hereby effective as of the date of this order.	June 24, 2022	47 MoReg 1075
22-03	Terminates the State of Emergency declared in Executive Order 22-02.	February 7, 2022	47 MoReg 411
22-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems.	February 1, 2022	47 MoReg 304
22-01	Establishes and Designates the Missouri Early Childhood State Advisory Council.	January 7, 2022	47 MoReg 222
<b>2021</b>			
21-13	Creates and establishes the Missouri Supply Chain Task Force.	November 22, 2021	47 MoReg 12
21-12	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	November 5, 2021	46 MoReg 2325
21-11	Orders state offices to be closed on Friday, November 26, 2021.	November 2, 2021	46 MoReg 2241
21-10	Orders steps to oppose federal COVID-19 vaccine mandates within all agencies, boards, commissions, and other entities within the executive branch of state government.	October 28, 2021	46 MoReg 2239
21-09	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.	August 27, 2021	46 MoReg 1727
21-08	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	August 10, 2021	46 MoReg 1673
<b>Proclamation</b>	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.	June 22, 2021	46 MoReg 1447
21-07	Extends Executive Order 20-02, Executive Order 20-04, Executive Order 20-05, Executive Order 20-06, and Executive Order 20-14 until August 31, 2021.	March 26, 2021	46 MoReg 750
21-06	Creates and establishes the Show Me Strong Recovery Task Force and rescinds Executive Order.	March 22, 2021	46 MoReg 748
21-05	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	February 24, 2021	46 MoReg 605
21-04	Extends Executive Order 21-03 until February 28, 2021 and terminates Executive Order 20-17.	February 19, 2021	46 MoReg 603



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<b>ORDER</b>	<b>SUBJECT MATTER</b>	<b>FILED DATE</b>	<b>PUBLICATION</b>
	<b>2022</b>		
<b>21-03</b>	Declares a State of Emergency and exempts hours of service requirements for vehicles transporting residential heating fuel until February 21, 2021.	February 11, 2021	46 MoReg 495
<b>21-02</b>	Establishes the Office of Childhood within the Department of Elementary and Secondary Education.	January 28, 2021	46 MoReg 394
<b>21-01</b>	Terminates Executive Orders 03-11 and 02-05, and modifies provisions of Executive Order 05-06.	January 7, 2021	46 MoReg 314

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The rule number and the MoReg publication date follow each entry to this index.

**ADMINISTRATION, OFFICE OF**

state official's salary compensation schedule; 1 CSR 10; 10/3/22

**AGRICULTURE, DEPARTMENT OF**grain inspection and warehousing

preparation of financial statements;

2 CSR 60-4.110; 6/15/22

2 CSR 60-5.100; 6/15/22

state milk board

inspection fees; 2 CSR 80-5.010; 7/15/22, 11/1/22

state milk board grade "A" milk policies; 2 CSR 80-2.190;

7/15/22, 11/1/22

weights, measures and consumer protection

MO propane safety commission annual budget; 2 CSR 90;

8/1/22

NFPA manual no.54, *national fuel gas code*; 2 CSR 90-10.020;

10/3/22

**CONSERVATION, DEPARTMENT OF**

closings; 3 CSR 10-11.15; 9/1/22

commercial use; 3 CSR 10-11.111, 9/1/22

deer: firearms hunting season; 3 CSR 10-7.433; 7/1/22, 10/17/22

dove hunting; 3 CSR 10-11.185; 9/1/22

elk: hunting season; 3 CSR 10-7.705; 5/2/22, 7/1/22, 10/17/22

fishing, daily and possession limits; 3 CSR 10-12.140; 9/1/22

fishing, length limits;

3 CSR 10-11.215; 9/1/22

3 CSR 10-12.145; 9/1/22

fishing, methods; 3 CSR 10-12.135; 9/1/22

licensed hunting preserve: privileges; 3 CSR 10-9.565; 10/17/22

privileges of class III wildlife breeders; 3 CSR 10-9.354; 10/17/22

quail hunting; 3 CSR 10-11.184; 9/1/22

resident black bear hunting permit; 3 CSR 10-5.900; 10/3/22

use of boats and motors;

3 CSR 10-11.160; 10/17/22

3 CSR 10-12.110; 9/1/22

**CREDIT AND FINANCE****ECONOMIC DEVELOPMENT, DEPARTMENT OF**

businesses and activities ineligible for capital access program

assistance; 4 CSR 80-6.010; 12/1/22

complaints; 4 CSR 85-3.040; 12/1/22

designation; 4 CSR 85-3.030; 12/1/22

enterprise zone program; 4 CSR 85-3.010; 12/1/22

general organization;

4 CSR 85-1.010; 12/1/22

4 CSR 260-1.010; 12/1/22

the application process; 4 CSR 85-3.020; 12/1/22

withdrawal of approval; 4 CSR 85-3.050; 12/1/22

**ELECTED OFFICIALS**secretary of state

campaign contribution limits; 15 CSR 30-14.010; 7/1/22,

10/3/22

library certification requirement for the protection of

minors; 15 CSR 30-200.015; 11/15/22

**ELEMENTARY AND SECONDARY EDUCATION,****DEPARTMENT OF**division of financial and administrative services

attendance hour reporting; 5 CSR 30-660.085; 9/15/22

audit policy and requirements; 5 CSR 30-4.030; 7/1/22,

12/1/22

charter school local education agency (LEA) attendance

hour reporting; 5 CSR 30-660.090; 6/1/22, 11/1/22

division of learning services

application for substitute certificate of license to teach;

5 CSR 20-400.220; 10/3/22

certification requirements for initial administration

certificate; 5 CSR 20-400.610; 8/1/22

general provisions governing the consolidated grants

Missouri career development and teacher excellence plan;

5 CSR 20-400.370; 10/3/22

training; 5 CSR 20-500.250; 6/1/22, 11/1/22

office of childhood

eligibility and authority for child care subsidy;

5 CSR 25-200.060; 10/3/22

general provisions governing programs authorized under

the early childhood development act; 5 CSR 25-100.330;

8/1/22

individuals with disabilities education act, part c;

5 CSR 25-100.120; 11/1/22

personnel; 5 CSR 25-500.102; 11/1/22

the child care provider and other child care personnel;

5 CSR 25-400.105; 11/1/22

**EXECUTIVE ORDERS**

convenes the first extra session of the second regular session

of the one hundredth first general assembly regarding

extension of agricultural tax credits and to enact legislation

amending Missouri income tax; Proclamation; 10/3/22

declares a drought alert for 53 Missouri counties and

orders the director of the Department of Natural Resources

to activate and designate a chairperson for the Drought

Assessment Committee; 22-04; 9/1/22

declares a State of Emergency and directs the Missouri State

Emergency Operations Plan be activated due to severe

storm systems; 22-05; 9/1/22

in accordance with Dobbs, section 188.017, RSMo is hereby

effective as of the date of this order; 8/1/22

**HEALTH AND SENIOR SERVICES, DEPARTMENT OF**community and public health, division of

levels of maternal and neonatal care designations;

19 CSR 20-60.010; 10/17/22

reporting infectious, contagious, communicable, or

dangerous diseases; 19 CSR 20-20.020; 9/15/22

Missouri health facilities review committee

additional information; 19 CSR 60-50.500; 8/1/22, 12/1/22

application package; 19 CSR 60-50.430; 8/1/22, 12/1/22

criteria and standards for equipment and new hospitals;

19 CSR 60-50.440; 8/1/22, 12/1/22

criteria and standards for financial feasibility;

19 CSR 60-50.470; 8/1/22, 12/1/22

criteria and standards for long-term care; 19 CSR 60-50.450;

8/1/22, 12/1/22

definitions for the certificate of need process;

19 CSR 60-050.300; 8/1/22, 12/1/22

letter of intent package; 19 CSR 60-50.410; 8/1/22, 12/1/22

letter of intent process; 19 CSR 60-50.400; 8/1/22, 12/1/22

meeting procedures; 19 CSR 60-500.800; 8/1/22, 12/1/22

Missouri health facilities review committee; 19 CSR 60-050;

9/1/22, 9/15/22, 10/3/22, 11/1/22

post-decision activity; 19 CSR 60-50.700; 8/1/22, 12/1/22

review process; 19 CSR 60-50.420; 8/1/22, 12/1/22

Missouri state public health laboratory

type I permit; 19 CSR 25-30.021; 12/1/22

office of the director

[report of induced termination of pregnancy] abortion

report; 19 CSR 10-15.010; 11/1/22

regulation and licensure, division of

hospice program operations; 19 CSR 30-35-010; 10/17/22

newborn safety incubators; 19 CSR 30-100.010; 9/1/22

registration and fees; 19 CSR 30-1.015; 9/15/22

registration process; 19 CSR 30-1.017; 9/15/22

schedules of controlled substances; 19 CSR 30-1.002; 10/17/22

standards and guidelines for essential caregiver program;

19 CSR 30-20.144; 10/17/22

senior and disability services, division of

division formal hearings;

19 CSR 15-6.025; 3/1/22, 7/15/22

information and assistance service standards;

19 CSR 15-7.050; 3/1/22, 7/15/22

nutrition service standards;

19 CSR 15-7.060; 3/1/22, 7/15/22

transportation service standards;

19 CSR 15-7.040; 3/1/22, 7/15/22

**HIGHER EDUCATION AND WORKFORCE DEVELOPMENT,  
DEPARTMENT OF**

guarantors of student loans to missourians; 6 CSR 10-2.090;

11/1/22

higher education academic scholarship program;  
6 CSR 10-2.080; 11/1/22  
state authorization reciprocity agreement; 6 CSR 10-12.010;  
5/2/22, 9/1/22

**INSURANCE**

applied behavior analysis maximum benefit; 20 CSR; 3/1/22  
construction claims binding arbitration cap; 20 CSR; 1/3/22  
non-economic damages in medical malpractice cap;  
20 CSR; 3/1/22  
sovereign immunity limits; 20 CSR; 1/3/22  
state legal expense fund; 20 CSR; 1/3/22  
property and casualty  
rate variations (consent rate) prerequisites;  
20 CSR 500-4.300; 9/15/22

**LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF**

agreement for consent election; 8 CSR 40-2.180; 4/1/22, 9/1/22  
contents of petitions; 8 CSR 40-2.030; 4/1/22, 9/1/22  
contents of petition for decertification; 8 CSR 40-2.040;  
4/1/22, 9/1/22  
definitions; 8 CSR 40-2.010; 4/1/22, 9/1/22  
election procedure; 8 CSR 40-2.160; 4/1/22, 9/1/22  
general organization; 8 CSR 40-1.010; 4/1/22, 9/1/22  
hearings; 8 CSR 40-2.140; 4/1/22, 9/1/22  
initial action; 8 CSR 40-2.100; 4/1/22, 9/1/22  
intervention; 8 CSR 40-2.130; 4/1/22, 9/1/22  
list of employees; 8 CSR 40-2.120; 4/1/22, 9/1/22  
notices of election; 8 CSR 40-2.150; 4/1/22, 9/1/22  
number of copies of petition to be filed; 8 CSR 40-2.060;  
4/1/22, 9/1/22  
petition for amendment of certification; 8 CSR 40-2.055;  
4/1/22, 9/1/22  
petition for unit certification; 8 CSR 40-2.050; 4/1/22, 9/1/22  
petitions for certification or decertification; 8 CSR 40-2.020;  
4/1/22, 9/1/22  
practice by a licensed attorney, when required;  
8 CSR 40-2.025; 4/1/22, 9/1/22  
processing of petition; 8 CSR 40-2.080; 4/1/22, 9/1/22  
runoff election; 8 CSR 40-2.170; 4/1/22, 9/1/22  
validity of showing of interest; 8 CSR 40-2.070; 4/1/22, 9/1/22  
withdrawal or dismissal of petition; 8 CSR 40-2.090;  
4/1/22, 9/1/22

**MENTAL HEALTH, DEPARTMENT OF**

certification standards  
assertive community treatment (ACT) in community  
psychiatric rehabilitation programs; 9 CSR 30-4.0432;  
4/15/22, 10/3/22  
comprehensive substance treatment and rehabilitation  
(CSTAR) program for women and children; 9 CSR 30-3.190;  
10/3/22  
specialized program for women and children;  
9 CSR 30-3.190; 10/3/22  
developmental disabilities, division of  
appeals procedures for service eligibility through the  
division of developmental disabilities; 9 CSR 45-2.020;  
11/1/22  
eligibility for services from the division of developmental  
disabilities; 9 CSR 45-2.010; 11/1/22  
prioritizing access to funded services; 9 CSR 45-2.015; 11/1/22  
utilization review process; 9 CSR 45-2.017; 11/1/22  
director, department of mental health  
exceptions committee procedures; 9 CSR 10-5.210; 8/15/22

**MISSOURI CONSOLIDATED HEALTH CARE PLAN**

pharmacy employer group waiver plan for medicare primary  
members; 22 CSR 10-2.089; 12/1/22

**NATURAL RESOURCES, DEPARTMENT OF**

air conservation commission  
clean water commission  
construction and operating permits; 10 CSR 20-6.010; 8/1/22  
storm water regulations; 10 CSR 20-6.200; 8/1/22  
energy, division of  
certification of renewable energy and renewable energy  
standard compliance account; 10 CSR 140-8.010; 8/1/22,  
12/1/22

energy efficiency and renewable energy loan cycle;  
10 CSR 140-2; 10/3/22  
hazardous waste management commission  
online permit modifications list; 10 CSR 25-7; 8/1/22, 9/15/22  
state parks  
camping and recreational activities; 10 CSR 90-2.030; 9/1/22  
definitions; 10 CSR 90-2.010; 9/1/22  
organized group camps; 10 CSR 90-2.050; 9/1/22

**PROFESSIONAL REGISTRATION**

accountancy, missouri state board of  
requirements for licensure through reciprocity;  
20 CSR 2010-2.065; 8/15/22, 12/1/22  
behavior analyst advisory board  
application for licensure; 20 CSR 2063-2.005; 11/1/22  
renewal of license, inactive license, and reactivation of  
license; 20 CSR 2063-2.010; 11/1/22  
cosmetology and barber examiners, board of  
dental board, missouri  
licensure by examination – dental hygienists;  
20 CSR 2110-2.050; 7/1/22, 10/17/22  
embalmers and funeral directors, state board of  
definitions; 20 CSR 2120-1.040; 10/3/22  
embalmer's registration and apprenticeship;  
20 CSR 2120-2.010; 10/3/22  
funeral directing; 20 CSR 2120-2.060; 10/3/22  
examiners for hearing instrument specialists, board of  
application procedures; 20 CSR 2165-2.025; 7/1/22, 10/17/22  
hearing instrument specialist in training (temporary  
permits); 20 CSR 2165-2.010; 7/1/22, 10/17/22  
license renewal; 20 CSR 2165-2.060; 7/1/22, 10/17/22  
licensure by reciprocity; 20 CSR 2165-2.040; 7/1/22, 10/17/22  
geologist registration, missouri board of  
fees; 20 CSR 2145-1.040; 6/1/22, 9/15/22  
temporary courtesy license; 20 CSR 2145-2.065; 11/1/22  
healing arts, state board of registration for the  
collaborative practice arrangements with nurses;  
20 CSR 2150-5.100; 5/2/22  
marital and family therapists, state committee of  
educational requirements; 20 CSR 2233-2.010; 8/1/22, 11/15/22  
Missouri board for architects, professional engineers,  
professional land surveyors, and professional landscape  
architects  
application, renewal, relicensure, and miscellaneous fees;  
20 CSR 2030-6.015; 12/1/22  
definition of baccalaureate degree from approved  
curriculum as used in section 327.312.1(1), RSMo; 12/1/22  
definition of twelve semester hours of approved surveying  
course work as used in section 327.312.1(3), RSMo;  
20 CSR 2030-14.040; 12/1/22  
definition of twenty semester hours of approved surveying  
course work as used in section 327.312.1(2), RSMo;  
20 CSR 2030-14.030; 12/1/22  
reexamination – land [surveyor-in-training] *surveyor-*  
*intern* and professional land surveyor; 20 CSR 2030-5.130;  
12/1/22  
scope of examination – land [surveyor-in-training] *surveyor-*  
*intern* and professional land surveyors; 20 CSR 2030-5.120;  
12/1/22  
standards for admission to examination – professional land  
surveyors; 20 CSR 2030-5.110; 12/1/22  
Missouri real estate commission  
advertising; 20 CSR 2250-8.070; 9/1/22  
nursing, state board of  
collaborative practice; 20 CSR 2200-4.200; 5/2/22  
optometry, state board  
pharmacy, state board of  
compounding standards of practice; 20 CSR 2220-2.400;  
7/15/22  
general licensing rules; 20 CSR 2220-7.010; 7/1/22, 10/17/22  
HIV post-exposure prophylaxis; 20 CSR 2220-6.025; 9/15/22  
pharmacist licensure by examination; 20 CSR 2220-7.030;  
7/1/22, 10/17/22  
standards of operation for a class Q: charitable pharmacy;  
20 CSR 2220-2.685; 6/15/22, 10/17/22

podiatric medicine, state board of

licensure by examination; 20 CSR 2230-2.010; 8/1/22, 11/15/22  
 private investigator and private fire investigator examiners,  
 board of

examination; 20 CSR 2234-5.010; 7/1/22, 10/17/22

professional counselors, committee for

fees; 20 CSR 2095-1.020; 10/17/22

professional registration, division of

designation of license renewal dates and related renewal  
 information; 20 CSR 2231-2.010; 6/15/22, 10/3/22  
 general organization; 20 CSR 2231-1.010; 6/15/22, 10/3/22

real estate appraisers

applications for certification and licensure;

20 CSR 2245-3.010; 10/3/22

case study courses; 20 CSR 2245-6.040; 10/3/22

commission action; 20 CSR 2245-2.020; 10/3/22

course approval; 20 CSR 2245-8.020; 10/3/22

examinations and education; 20 CSR 2245-6.016; 10/3/22

investigation and review;

20 CSR 2245-7.060; 10/3/22

20 CSR 2245-8.050; 10/3/22

records; 20 CSR 2245-2.030; 10/3/22

registration for the healing arts, state board of

HIV post-exposure prophylaxis; 20 CSR 2150-5.024; 9/15/22

social workers, state committee for

acceptable supervisors and supervisor responsibilities;

20 CSR 2263-2.031; 7/1/22, 10/17/22

tattooing, body piercing, and branding, office of

fees; 20 CSR 2267-2.020; 10/3/22

issuance of temporary courtesy license to nonresident

military spouse, 20 CSR 2267-2.034; 8/15/22, 12/1/22

**PUBLIC SAFETY, DEPARTMENT OF**alcohol and tobacco control, division of

all licensees; 11 CSR 70-2.140; 7/1/22, 12/1/22

report of brewers and beer wholesalers; 11 CSR 70-2.100;  
 3/1/22, 7/15/22

reporting distillers, solicitors, wine manufacturers, and  
 wholesalers; 11 CSR 70-2.090; 3/1/22, 7/15/22

retail licensees; 11 CSR 70-2.120; 7/1/22, 12/1/22

retailer's conduct of business; 11 CSR 70-2.130; 7/1/22, 12/1/22

standards for using minors in intoxicating liquor

investigations; 11 CSR 70-2.280; 7/1/22, 12/1/22

tax credit and refunds; 11 CSR 70-2.150; 7/1/22, 12/1/22

unlawful discrimination and price scheduling;

11 CSR 70-2.190; 7/1/22, 12/1/22

Missouri gaming commission

definition of licensee; 11 CSR 45-7.010; 12/1/22

minimum internal control standards; 11 CSR 45-9.030;  
 10/3/22

minimum internal control standards (MICS) – chapter I;  
 11 CSR 45-9.109; 10/3/22

minimum internal control standards (MICS) – chapter L;  
 11 CSR 45-9.112; 11/1/22

reimbursement for cost of *contracted* commission agents;  
 11 CSR 45-7.145; 12/1/22

surveillance system plans; 11 CSR 45-7.120; 12/1/22

Missouri state highway patrol

air and vacuum brake system; 11 CSR 50-2.170; 5/2/22, 9/1/22

brake performance; 11 CSR 50-2.150; 5/2/22, 9/1/22

licensing of inspector/mechanics; 11 CSR 50-2.080; 5/2/22,  
 9/1/22

school bus inspection; 11 CSR 50-2.320; 5/2/22, 9/1/22

**PUBLIC SERVICE COMMISSION**

incident, annual, and safety-related condition reporting

requirements; 20 CSR 4240-40.020; 9/1/22

safety standards – transportation of gas by pipeline;

20 CSR 4240-40.030; 9/1/22

**RETIREMENT SYSTEMS**

disability retirement;

16 CSR 10-5.020; 6/15/22, 10/3/22

16 CSR 10-6.070; 6/15/22, 10/3/22

general organization; 16 CSR 50-1.010; 11/15/22

service retirement;

16 CSR 10-5.010; 9/1/22

16 CSR 10-6.060; 9/1/22

**REVENUE, DEPARTMENT OF**

annual adjusted rate of interest; 12 CSR 10-14.010; 12/1/22

**SOCIAL SERVICES, DEPARTMENT OF**family support division

basis for provision; 13 CSR 40-37.010; 10/3/22

Missouri medicaid audit and compliance

provider enrollment and application; 13 CSR 65-2.020;

4/15/22, 9/1/22

mo healthnet division

applied behavior analysis services; 13 CSR 70-98.030; 10/3/22

automatic refill programs and medication synchronization  
 programs; 13 CSR 70-20.042; 10/3/22

copayment for pharmacy services; 13 CSR 70-4.051;

7/1/22, 10/17/22

direct medicaid payments; 13 CSR 70-15.015; 7/15/22, 12/1/22

disproportionate share hospital (DSH) payments;

13 CSR 70-15.220; 8/1/22

electronic visit verification (EVV); 13 CSR 70-3.320;

7/1/22, 10/17/22

federal reimbursement allowance (FRA); 13 CSR 70-15.110;

7/15/22, 12/1/22

health insurance premium payment (HIPPI) program;

13 CSR 70-97.010; 12/1/22

home health-care services; 13 CSR 70-90.010; 12/1/22

inpatient hospital services reimbursement methodology;

13 CSR 70-15-010; 7/15/22

limitations on payment of out-of-state nonemergency

medical services; 13 CSR 70-3.120; 2/15/22, 6/1/22

nonemergency medical transportation (NEMT) services;

13 CSR 70-5.010; 7/1/22, 10/17/22

out-of-state hospital services reimbursement plan;

13 CSR 70-15.190; 8/1/22, 12/1/22

outpatient hospital services reimbursement

methodology; 13 CSR 70-15.160; 7/15/22, 12/1/22

private duty nursing; 13 CSR 70-95.010; 9/1/22

program of all-inclusive care for the elderly;

13 CSR 70-8.010; 9/1/22

[sanctions] administrative actions for improperly paid,  
 false, or fraudulent claims for mo healthnet services;

13 CSR 70-3.030; 9/1/22

upper payment limit (UPL) payment methodology;

13 CSR 70-15.230; 7/15/22, 12/1/22

**TRANSPORTATION, MISSOURI DEPARTMENT OF**highway safety and traffic division

approval; 7 CSR 60-3.010; 6/15/22, 11/15/22

approved motorcycle training courses; 7 CSR 60-1.060;  
 10/17/22

approval procedure; 7 CSR 60-2.020; 6/15/22, 11/15/22

breath alcohol ignition interlock device security;

7 CSR 60-2.050; 6/15/22, 11/15/22

definitions;

7 CSR 60-1.010; 10/17/22

7 CSR 60-2.010; 6/15/22, 11/15/22

device suspension and decertification; 7 CSR 60-2.060;

6/15/22, 11/15/22

motorcycle instructor; 7 CSR 60-1.030; 10/17/22

motorcycle training school; 7 CSR 60-1.020; 10/17/22

motorcycle training school instructor; 7 CSR 60-1.030;

10/17/22

motorcycle requirements; 7 CSR 60-1.070; 10/17/22

notice and hearing requirements; 7 CSR 60-1.080; 10/17/22

program sponsor; 7 CSR 60-1.020; 10/17/22

quality assurance visits; 7 CSR 60-1.100; 10/17/22

responsibilities of manufacturers; 7 CSR 60-2.040; 6/15/22,

11/15/22

sponsor pre-suspension notification; 7 CSR 60-1.110; 10/17/22

sponsor suspension; 7 CSR 60-1.090; 10/17/22

standards and specifications; 7 CSR 60-2.030; 6/15/22,

11/15/22

student admission requirements; 7 CSR 60-1.040; 10/17/22

verification of course completion; 7 CSR 60-1.050; 10/17/22

Missouri highways and transportation commission

administration; 7 CSR 10-17.030; 10/17/22

appeals; 7 CSR 10-25.090; 7/15/22

application for a self-insurer status; 7 CSR 265-10.035; 7/15/22  
application for international fuel tax agreement license;  
7 CSR 10-25.071; 7/15/22  
apportion registration pursuant to the international  
registration plan; 7 CSR 10-25.030; 7/15/22  
definitions;  
7 CSR 10-17.020; 10/17/22  
7 CSR 10-25.070; 7/15/22  
description, organization, and information; 7 CSR 10-1.010;  
4/15/22, 9/15/22  
investigation and audits; 7 CSR 10-25.080; 7/15/22  
logo signing; 7 CSR 10-17.050; 10/17/22  
oversize/overweight permits; 7 CSR 10-25.020; 8/15/22  
procedures for solicitation, receipt of bids, and award and  
administration of contracts; 7 CSR 10-11.020; 4/15/22,  
9/15/22  
requirements for tourist oriented directional signing;  
7 CSR 10-17.040; 10/17/22  
skill performance evaluation certificates for commercial  
drivers; 7 CSR 10-25.010; 7/15/22  
subpoenas; 7 CSR 10-1.020; 7/15/22  
traffic generators; 7 CSR 10-17.060; 10/17/22  
motor carrier and railroad safety  
marking of vehicles; 7 CSR 265-10.025; 7/15/22  
records of the division; 7 CSR 265-10.017; 7/15/22



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