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SALUS POPULI SUPREMA LEX ESTO

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



JASON KANDER
SECRETARY OF STATE

MISSOURI
REGISTER

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

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation, i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2255—Missouri Board for Respiratory Care
Chapter 1—General Rules**

EMERGENCY AMENDMENT

20 CSR 2255-1.040 Fees. The Missouri Board for Respiratory Care is proposing to add section (3).

PURPOSE: The Missouri Board for Respiratory Care is statutorily obligated to enforce and administer the provisions of sections 334.800 to 334.930, RSMo, governing the practice of respiratory care. Pursuant to section 334.850, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of sections 334.800 to 334.930, RSMo. Based on the board's five- (5-) year projections, the board finds it necessary to reduce renewal fees for respiratory care therapists.

Licenses expire on July 31, 2016, therefore, renewal notices will be mailed in May 2016. Any respiratory care practitioner wishing to renew their license for the 2016 renewal period will be assessed the decreased renewal fee. Without this emergency amendment the decreased fee requirement will not be effective in time for the renewal notice and the board will collect more revenue than it is statutorily authorized to collect.

EMERGENCY STATEMENT: The Missouri Board for Respiratory Care is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of sections 334.850 to 334.930, RSMo. Pursuant to section 334.850, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of sections 334.850 to 334.930, RSMo. Therefore, the board is proposing to decrease 2016 renewal fees for Missouri respiratory care therapists from thirty dollars (\$30) to five dollars (\$5) and the respiratory care therapists inactive license renewal fee from twenty dollars (\$20) to five dollars (\$5). Renewal notices will be mailed the first week of May 2016. Without this emergency amendment, the decreased fee requirements will not be effective prior to renewal notices being mailed and the board will collect more revenue than it is statutorily authorized to collect. The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. In developing this emergency amendment, the board has determined that the fee decrease is necessary for the 2016 renewal period to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 334.850, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The board believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed April 1, 2016, becomes effective April 11, 2016, and expires January 18, 2017.

(3) To ensure compliance with section 334.850, RSMo, the following renewal fees shall be effective from May 1, 2016 to July 31, 2016:

(A) Biennial License Renewal fee	\$5
(B) Biennial Inactive License Renewal fee	\$5

AUTHORITY: section 334.840.2, RSMo 2000, and section 334.850, RSMo Supp. 2013. This rule originally filed as 4 CSR 255-1.040. Emergency rule filed June 25, 1998, effective July 6, 1998, expired Feb. 25, 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed April 1, 2016, effective April 11, 2016, expires Jan. 18, 2017. A proposed amendment covering this same material will be published in this issue of the *Missouri Register*.

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

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

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

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

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

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

ter and processing shall be those shown in Part 300 to end of Title 9, the *Code of Federal Regulations* (January [2014] 2016), herein incorporated by reference and made a part of this rule as published by the United States Superintendent of Documents, 732 N Capitol Street NW, Washington, DC 20402-0001, phone: toll-free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: section 265.020, RSMo 2000. Original rule filed Sept. 14, 2000, effective March 30, 2001. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Oct. 2, 2015, effective Oct. 12, 2015, expired April 18, 2016. Amended: Filed March 23, 2016.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to the proposed amendment with the Missouri Department of Agriculture, Dr. Harold Treese, PO Box 630, Jefferson City, MO 65102 or by email to Harold.Treese@mda.mo.gov. To be considered comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 2—DEPARTMENT OF AGRICULTURE Division 80—State Milk Board Chapter 5—Inspections

PROPOSED AMENDMENT

2 CSR 80-5.010 Inspection Fees. The board is amending the purpose and section (1).

PURPOSE: The proposed amendment updates the fiscal year, no changes to the inspection fee.

PURPOSE: This rule complies with section 196.945, RSMo, to set inspection fees for Fiscal Year [2016] 2017 for milk produced on farms inspected by the State Milk Board and milk imported from points beyond the limits of routine inspection.

(1) The inspection fee for Fiscal Year [2016] 2017 (July 1, [2015] 2016–June 30, [2016] 2017) shall be five cents (5¢) per hundred weight on milk produced on farms inspected by the State Milk Board or its contracted local authority and four and a half cents (4.5¢) per hundred weight on milk imported from areas beyond the points of routine inspection.

AUTHORITY: section 196.939, RSMo 2000. Original rule filed April 12, 1977, effective Sept. 11, 1977. For intervening history, please consult the Code of State Regulations. Amended: Filed March 22, 2016.

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

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

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

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

PROPOSED AMENDMENT

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

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

(2) The standards used to inspect Missouri meat and poultry slaugh-

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Milk Board, 1616 Missouri Boulevard, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 11—Missouri Dairy Revitalization Programs**

PROPOSED RULE

2 CSR 100-11.010 Dairy Producer Margin Insurance Premium Assistance Program

PURPOSE: This rule describes eligibility and application procedures for the dairy producer margin insurance premium assistance program.

(1) Definitions. As used in this rule, the following shall mean:

(A) Missouri Agricultural and Small Business Development Authority (MASBDA)—the authority. The Missouri Agricultural and Small Business Development Authority was created by Chapter 348, RSMo;

(B) Eligible Dairy Producer—The authorized representative (must match name of representative on the United States Department of Agriculture (USDA) Margin Protection Program (MPP)-Dairy enrollment form) of a dairy operation located in Missouri who provides proof of fully paid participation in the federal Margin Protection Program for Dairy (MPP-Dairy);

(C) Federal Premium—Amount paid to the USDA for participation in the Margin Protection Program for Dairy (MPP-Dairy) on an annual basis;

(D) Margin Protection Program—The federal Margin Protection Program for Dairy (MPP-Dairy) contained in the federal Agricultural Act of 2014 (The Farm Bill);

(E) Margin Protection Premium Reimbursement Rate—Seventy percent (70%) of the federal premium payment, up to a maximum premium reimbursement rate of thirty-four (.34) cents per hundredweight of milk, as certified on the USDA MPP-Dairy enrollment form;

(F) Pounds of Production—Producer's production history measured in pounds for the dairy operation, as certified on the USDA MPP-Dairy enrollment form; and

(G) USDA/FSA—United States Department of Agriculture Farm Service Agency is the federal agency that administers the Margin Protection Program for Dairy Producers (MPP-Dairy).

(2) Operation of the Program.

(A) Eligibility—Applicant must be a dairy producer in the state of Missouri who participates in the federal Margin Protection Program for Dairy.

(B) Application—Dairy producers who wish to be considered for the program shall apply with the Missouri Agricultural and Small Business Development Authority on a form or forms provided by the authority prior to January first of each year. The authority will determine, on an annual basis, what documents are required to be submitted with the application to determine eligibility.

(C) Allocation—Upon approval by the authority, the eligible applicant shall receive reimbursement of seventy percent (70%) of the paid annual premium up to a maximum premium reimbursement rate of thirty-four (.34) cents per hundredweight of milk. Funding is subject to cash availability and current appropriation authority. If eligible application amounts exceed cash availability and current appropriation authority, reimbursement payments will be disbursed on a pro

rata basis.

(D) Repayment of premium benefits—The authority may revoke, in full or part, any reimbursement payments if—1) any representation made to the authority in connection with an application proves to have been false when made; or 2) the application violates any conditions established by the authority.

(3) The Missouri Agricultural and Small Business Development Authority may charge an application fee in an amount to be determined on an annual basis to cover the costs associated with the implementation of the program.

AUTHORITY: section 261.295, RSMo Supp. 2015. Original rule filed March 31, 2016.

PUBLIC COST: This proposed rule will result in an aggregate public cost of \$2,820,000 to \$16,647,860.

PRIVATE COST: This proposed rule will result in an aggregate private cost of twenty-four thousand seven hundred dollars (\$24,700).

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Agricultural and Small Business Development Authority, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Agriculture**
Division Title: Missouri Agricultural and Small Business Development Authority
Chapter Title: Missouri Dairy Revitalization Program

Rule Number and Name:	2 CSR 100-11.010 Dairy Producer Margin Insurance Premium Assistance Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
MO Department of Agriculture (MDA)	\$2,820,000 to \$16,647,860 over five (5) years

III. WORKSHEET

\$564,000 in the first year and \$564,000 for the next year.

According to actual enrollment numbers for the Calendar Year 2015 Margin Protection Program (MPP-Dairy), provided by the Missouri State FSA Office, 494 producers have enrolled at a coverage level requiring an annual premium payment. (Enrollment at the “catastrophic” level of \$4.00 per cwt (hundredweight) does not require a premium payment for coverage.) Total premiums paid to FSA by these 494 producers equal \$805,395.25.

Therefore, actual total reimbursements due to eligible producers in FY 16 under the Dairy Producer Margin Insurance Premium Assistance Program is: \$563,776.68. ($\$805,395.25 \times 70\% = \$563,776.68$) MDA assumes similar enrollment for calendar year 2016 and thus similar payment exposure for FY 17.

IV. ASSUMPTIONS

Officials from the Department of Agriculture (MDA) assume that operational cost of the program will be covered by application fees. If not, MASBDA has requested \$20,000 for expenses to administer the Dairy Producer Margin Insurance Premium Assistance Program and Dairy Scholars Program.

MDA assumes current staffing would be able to handle any additional workload from this provision.

MDA assumes the continued operation of dairies in Missouri will have a positive impact on revenues generated for the program and there will be adequate revenue from the sale of dairy products as defined in Section 196.525 and 196.931, RSMo. According to the *Missouri Dairy Industry Revitalization Study* completed in January, 2015 by the University of Missouri Extension Commercial Agriculture Program, adjusting the overall industry economic output by the RPC (regional purchasing coefficient), the economic output effect of one dairy cow in Missouri was \$14,464 in 2013.

According to actual enrollment numbers for the Calendar Year 2015 Margin Protection Program (MPP-Dairy), provided by the Missouri State FSA Office, 494 producers have enrolled at a coverage level requiring an annual premium payment. (Enrollment at the "catastrophic" level of \$4.00 per cwt (hundredweight) does not require a premium payment for coverage.) Total premiums paid to FSA by these 494 producers equal \$805,395.25.

MDA assumes Dairy Margin Insurance Program Reimbursement costs would be \$564,000 for Fiscal Year 2016, based on actual enrollment in the federal Margin Protection Program –Dairy for Calendar Year 2015. ($\$805,395.25 \times 70\%$ reimbursement rate = \$563,776.68)

However, maximum annual reimbursement throughout the next five years could reach \$3,329,572.

The actual total reimbursements due to eligible producers in FY 16 under the Dairy Producer Margin Insurance Premium Assistance Program is: \$563,776.68. ($\$805,395.25 \times 70\% = \$563,776.68$) MDA assumes similar enrollment for calendar year 2016 and thus similar payment exposure for FY 17.

Depending on nationwide milk prices and margins, which trigger insurance payments under the federal Margin Protection Program, and partial premium reimbursements under the Dairy Margin Insurance Program, enrollment in both programs could increase, with producers choosing higher coverage levels in the federal program. MDA has provided the following formula as a basis for program costs at \$8.00 margin, the highest level of coverage, with maximum estimated producer enrollment:

MDA assumes maximum program costs are based on the following criteria (Actual milk production may vary year to year based on factors such as weather and milk prices. 2014 production is used here for convenience).

- 2014 Missouri Milk production totaled 13,830,000 cwt , up 2.5% from 2013
- 75% of the milk produced comes from herds producing less than 4 million lbs.
- 25% of the milk produced comes from herds producing more than 4 million lbs.

- Less than 4 million lbs of milk, the premium is \$0.475/cwt at \$8.00 margin.

- More than 4 million lbs of milk, the premium is \$1.36/cwt at \$8.00 margin.

- 80% of Missouri dairies will participate in the program.

$13,830,000 \text{ cwt} \times 75\% \times 90\% \times (\$0.475 \times 70\%) \$3.325 + (13,830,000 \times 25\% \times 90\% \times (\$1.34 \text{ maximum reimbursement}) - \$4,161,966 \times 80\% \text{ participation} = \$3,329,572$

The University of Missouri (MU) is tasked annually under HB 259 to estimate the sales tax revenue generated in the state from the sales of dairy products during the preceding fiscal year by October 1. The data available for the 52 week period ending April 19, 2015 (most recent available at this time), it is estimated that a total of \$14,354,653 in Missouri dairy sales tax revenue was generated for FY 2015. HB 259 stipulates that no more than 40 percent of dairy sales tax revenue in the previous fiscal year can be appropriated to fund the dairy revitalization bill, suggesting an effective cap of \$5,741,861 for FY 2016 appropriations, well above the cost of \$564,000 based on actual 2015 enrollment in the federal Margin Protection Program Dairy (MPP-Dairy). The complete MU report is available at

<http://amap.missouri.edu/images/research/MOdySalesTax2015.pdf> .

FISCAL NOTE

PRIVATE COST

I. RULE NUMBER

Rule Number and Name	2 CSR 100-11.010 Dairy Producer Margin Insurance Premium Assistance Program
Type of Rulemaking	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule;	Classification by types of the business entities which would likely be affected;	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities;
494	Dairy Producers	\$24,700.00

III. Worksheet

Eligible Missouri producers 494 x \$50.00 application fee = \$24,700.00. By applying for reimbursement, the applicants could receive in total an estimated benefit in insurance premium reimbursement of approximately \$ 600,000.

IV. Assumptions

An application fee of \$50.00 will be charged. According to the Farm Services Agency (FSA), there are 494 Missouri producers that have signed up for coverage under the Margin Protection Program for Dairy (MPP-Dairy). This group of producers may apply for the Dairy Producer Margin Insurance Premium Assistance Program.

Title 2—DEPARTMENT OF AGRICULTURE
Division 100—Missouri Agricultural and Small Business
Development Authority
Chapter 11—Missouri Dairy Revitalization Programs

PROPOSED RULE

2 CSR 100-11.020 Missouri Dairy Scholars Program

PURPOSE: This rule describes eligibility and application procedures for the Missouri Dairy Scholars Program.

(1) Definitions. As used in this rule, the following shall mean:

(A) Agriculture-Related Degree—Programs offered by a two- (2-) year or four- (4-) year college or university in Missouri that include, but may not be limited to, the following program areas:

1. Agricultural Business/Economics;
2. Agricultural Education;
3. Agricultural Equipment/Power/Machinery;
4. Agricultural Communications/Journalism;
5. Agricultural Production;
6. Animal Health;
7. Biotechnology;
8. Farm Management;
9. Food Science/Nutrition;
10. Horticulture/Plant Science;
11. Landscape/Nursery/Turf Management; and
12. Soils;

(B) Dairy-Related Internship—a paid or unpaid work experience for at least three (3) months on a dairy farm or, with a dairy cooperative, dairy manufacturing plant, dairy equipment or feed or input provider, an agribusiness, commodity organization, or allied dairy service provider;

(C) Department—the Missouri Department of Agriculture;

(D) Missouri Agriculture Industry—farms and ranches involved in the production of food products; the agriculture supply and service businesses that support farmers and ranchers; the cooperatives, processors, and manufacturers that provide value added services and help transform the farmer's agricultural production into higher value products; and

(E) Scholarship—Payment in the amount of five thousand dollars (\$5,000), subject to appropriations to assist with the cost of an eligible student's tuition and fees at a two- (2-) year or four- (4-) year college or university in Missouri.

(2) Operation of the Program.

(A) Application—Eligible students as defined in section 261.285.3, RSMo, must apply to the Missouri Department of Agriculture on forms provided by the department. On an annual basis, the department will establish program guidelines and a deadline date for the acceptance of applications.

(B) Allocation—Upon approval by the department, the eligible student applicant will receive an award letter and scholarship funds will be forwarded to the college or university that the student identifies in the application. Funding is subject to cash availability and current appropriation authority.

(C) Repayment of scholarship benefits—The department may revoke, in full or part, any payments if—1) any representation made to the department in connection with an application proves to have been false when made; 2) the applicant violates any conditions established by the department; or 3) the applicant becomes ineligible for any reason under section 261.285, RSMo.

AUTHORITY: section 261.295, RSMo Supp. 2015. Original rule filed March 31, 2016.

PUBLIC COST: This proposed rule will result in an aggregate public cost of two (2) million dollars.

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Agricultural and Small Business Development Authority, PO Box 630, 1616 Missouri Boulevard, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Department of Agriculture
Division Title: Missouri Agricultural and Small Business Development Authority
Chapter Title: Missouri Dairy Revitalization Programs

Rule Number and Name:	2 CSR 100 – 11.020 Missouri Dairy Scholars Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
MO Department of Agriculture (MDA)	\$2,000,000 over five (5) years

III. WORKSHEET

\$400,000 in the first year, and \$400,000 in subsequent years to fund up to 80 scholarships annually in the amount of \$5,000 each to assist with the cost of eligible students' tuition and fees at a two-year or four-year college or university in Missouri. This amount shall be paid out of the Missouri dairy industry revitalization fund created in section 261.275 RSMo. Supp 2015.

Year 1

\$400,000 (\$5,000 scholarships * 80 students)

Years 2-5

\$400,000 (\$5,000 scholarships * 80 students)

Total Cost = \$2,000,000 (\$400,000 * 5 years)

IV. ASSUMPTIONS

- 1) MDA is required to implement and administer the Missouri Dairy Scholars Program established under section 261.285 RSMo. MDA has asked the Missouri Agricultural and Small Business Development Authority (MASBDA) to administer the program on their behalf due to MASBDA's experience in administering several similar programs.
- 2) The Missouri Dairy Scholars Program shall, upon appropriation, provide up to 80 scholarships annually in the amount of \$5,000 each for eligible students in an agriculture-related degree program at a two or four year Missouri college or University who 1) works on a dairy farm or has a dairy-related internship for at least three months of each year, and 2) signs an agreement with MDA in which the recipient agrees to work in the agricultural industry in Missouri for at least two years for every one year the recipient received the Missouri dairy scholarship.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants. The commission proposes to amend the rule purpose and sections (1)–(5). If the commission adopts this rule action, the department intends to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This amendment removes a statement from the compliance and performance testing provisions that does not meet Clean Air Act requirements, adds exemptions for emission units regulated by stricter federal and state regulations or that do not have the capability of exceeding the emission limits of this rule, and adds an alternative test method. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is Federal Register notice 78 FR 12460, dated February 22, 2013.

PURPOSE: This rule specifies the maximum allowable opacity of visible air contaminant emissions, unless specifically exempt or regulated by 10 CSR 10-6.070 and requires the use of continuous monitoring systems [(COMS)] (CMS) on certain air contaminant [sources] emission units.

(1) Applicability. This rule applies to all sources of visible emissions, **excluding water vapor**, throughout the state of Missouri with the exception of the following:

(A) Internal combustion engines [operated outside the Kansas City or St. Louis metropolitan areas and stationary internal combustion engines operated in the Kansas City or St. Louis metropolitan areas];

(G) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher;

(H) Emission [sources] units regulated by 10 CSR 10-6.070 and the provisions of 40 CFR [part] 60, promulgated as of July 1, [2007] 2013, and hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions; [and]

(I) Any open burning that is exempt from open burning rule 10 CSR 10-6.045[.];

(J) Emission units regulated by 40 CFR 63 subpart DDDDD—*National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters* that meet one (1) of the following criteria:

1. Constructed or reconstructed after June 4, 2010;

2. The unit is subject to a ten percent (10%) opacity limit as described in Table 4 of 40 CFR 63 subpart DDDDD; or

3. The unit is in Table 2 of 40 CFR 63 subpart DDDDD and has a filterable particulate matter limitation of less than or equal to 4E-02 pounds per million British thermal units (lbs/MMBtu);

(K) Fugitive emissions subject to 10 CSR 10-6.170;

(L) Any emission unit burning only natural gas, landfill gas, propane, liquefied petroleum gas, digester gas, or refinery gas;

(M) Emission units regulated by 40 CFR 63 subpart JJJJJ—*National Emission Standards for Hazardous Air Pollutants for*

Industrial, Commercial, and Institutional Boilers Area Sources that meet all of the following criteria:

1. Constructed or reconstructed after June 4, 2010;

2. In compliance with the 3.0E-02 lbs/MMBtu filterable particulate matter emission limit described in Table 1 of 40 CFR 63 subpart JJJJJ or maintaining opacity to less than or equal to 10 percent as described in Table 3 of 40 CFR 63 subpart JJJJJ; and

3. Demonstrating compliance with a continuous monitoring system (CMS), including a continuous emission monitoring system (CEMS), a continuous opacity monitoring system (COMS), or a continuous parameter monitoring system (CPMS);

(N) Emission units regulated by 40 CFR 63 subpart UUUU—*Mercury and Air Toxics Standards*, and demonstrating compliance with a particulate matter continuous emission monitoring system; and

(O) Emission units that are contained within and emit only within a building space. This does not include emission units with a collection device vented outside the building space.

(2) Definitions. Definitions of certain terms specified in this rule may be found in 10 CSR 10-6.020.

[(A) Capacity factor—Ratio (expressed as a percentage) of a power generating unit's actual annual electric output (expressed in Mwe hr) divided by the unit's nameplate capacity multiplied by 8,760 hours.

[(B) Continuous Opacity Monitoring System (COMS)—All equipment required to continuously measure and record the opacity of emissions within a stack or duct. Continuous Opacity Monitoring Systems consist of sample interface, analyzer and data recorder components and usually include, at a minimum: transmissometers, transmissometer control equipment, and data transmission, acquisition, and recording equipment.

[(C) Six (6)-minute period—A three hundred sixty (360) consecutive second time interval. Six (6)-minute block averages shall be utilized for COMS data per the provisions of Appendix B to 40 CFR part 60, Performance Specification 1, promulgated as of July 1, 2007, and hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.

[(D) Smoke generating device—A specialized piece of equipment which is not an integral part of a commercial, industrial or manufacturing process and whose sole purpose is the creation and dispersion of fine solid or liquid particles in a gaseous medium.

[(E) Source—Any part or activity of an installation that emits or has the potential to emit any regulated air pollutant.

[(F) Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.]

(3) General Provisions.

(A) Visible Emissions Limitations.

[(A)]1. Maximum Visible Emissions Limitations. Unless specified otherwise in this rule, no owner or [other person] operator shall cause or permit to be discharged into the atmosphere from any [source] emission unit, not exempted under this rule, any visible emissions greater than the limitations in the following table for any continuous six (6)-minute period as measured by the test method used to demonstrate compliance with this rule:

Area of State	Visible Emission Limitations	
	Existing <i>[Sources]</i> Emission Units	New <i>[Sources]</i> Emission Units
Kansas City Metropolitan Area	20%	20%
St. Louis Metropolitan Area	20%*	20%
Springfield-Greene County Area	40%	20%
Outstate Area	40%	20%

*Exception: Existing *[sources]* emission units in the St. Louis metropolitan area that are not incinerators and emit less than twenty-five (25) lbs/hr of particulate matter shall be limited to forty percent (40%) opacity.

[(B)]2. Visible Emissions Limitations, Exceptions Allowed In One (1) Continuous Six (6)-Minute Period. The visible emissions limitations in the following table shall be allowed for *[a period not aggregating more than]* one (1) continuous six (6)-minute period in any sixty (60) minutes as measured by the test method used to demonstrate compliance with this rule:

Area of State	Visible Emission Limitations, Exceptions	
	Existing <i>[Sources]</i> Emission Units	New <i>[Sources]</i> Emission Units
Kansas City Metropolitan Area	60%**	60%**
St. Louis Metropolitan Area	40%	40%
Springfield-Greene County Area	60%**	60%**
Outstate Area	60%	60%

**This exception does not apply to existing and new incinerators in the Kansas City metropolitan area and Springfield-Greene County.

[(C)] Visible emissions over the limitations shown in subsection (3)(B) of this rule are in violation of this rule unless the director determines that the excess emissions do not warrant enforcement action based on data submitted under 10 CSR 10-6.050 Start-Up, Shutdown and Malfunction Conditions.]

[(D)](B) Failure to meet the requirements of subsection (3)(A) solely because of the presence of uncombined water shall not be a violation of this rule.

[(E)] The following emission sources shall have COMS installed, calibrated, maintained and operated in accordance with 40 CFR part 60, Performance Specification 1:

1. Coal-fired steam generating units with maximum heat input rate greater than two hundred fifty (250) million British thermal units (Btus)/hour. Exemption: Coal-fired steam generating units that have an annual boiler capacity factor of thirty percent (30%) or less are exempt from this requirement;

2. Portland cement calcining kiln operations; and

3. Sources that require COMS under 10 CSR 10-6.070 New Source Performance Regulations.

[(F)] All sources shall have the opacity of visible emissions determined by one (1) of the methods in section (5) of this rule.]

[(G)](C) Compliance Determination. Compliance for any *[source]* emission unit to which this rule applies shall be determined from opacity measurements taken in accordance with subsection (3)*[(E)](D)* or (3)*[(F)](E)* of this rule. *[If a COMS is malfunctioning, a non-department qualified observer measurement may be used as a temporary substitute.]* If opacity measurements taken by a non-department qualified observer differ from visual measurements taken by a qualified department observer, the qualified department observer's opacity measurements shall be used to determine compliance.

(D) The following emission units shall install a CMS in accor-

dance with subsection (3)(F) of this rule:

1. Unless exempt under section (1) of this rule, coal-fired steam generating units with maximum heat input rate greater than two hundred fifty (250) million British thermal units (Btus)/hour. Exemption: Coal-fired steam generating units that have an annual boiler capacity factor of thirty percent (30%) or less are exempt from this requirement; and

2. Portland cement calcining kiln operations.

[(E)] Unless otherwise specified in this rule, owners or operators shall have the opacity of visible emissions determined by one (1) of the methods in section (5) of this rule.

[(H)] Continuous Opacity Monitoring Systems (COMS) General Requirements.]

[(F)] Continuous Monitoring Requirements. Sources with emission units that are required to install a CMS must select one (1) of the following options:

1. Install, calibrate, and maintain a COMS according to the following conditions:

[1.]A. Source operating time includes any time fuel is being combusted and/or a fan is being operated./.;

[2.]B. Cycling time. Cycling times include the total time a monitoring system requires to sample, analyze, and record an emission measurement. Continuous monitoring systems for measuring opacity shall complete a minimum of one (1) cycle of operation (sampling, analyzing, and data recording) for each successive ten (10)-second period./.;

[3.]C. Certification. All COMS shall be certified by the director after review and acceptance of a demonstration of conformance with 40 CFR *[Part]* 60, Appendix B, Performance Specification 1./.;

[4.]D. Audit authority. All COMS shall be subject to audits conducted by the department, and all COMS records shall be made available upon request to department personnel./.; or

[5.]2. [Alternative monitoring methods.] Install, calibrate, and maintain an alternative CMS according to the following conditions:

A. All alternative CMS, monitoring systems requirements, system locations, reporting and record keeping requirements, and procedures for operation and maintenance *[which do not meet the requirements of this rule]* must be approved by the staff director./ *Submittals for approval determination must—] and the U.S. Environmental Protection Agency (EPA); and incorporated into this rule and the state implementation plan (SIP) prior to implementation;*

[A.]B. Demonstrate that a requirement of *[subsection (3)(H), (4)(A) and/or (4)(B)]* paragraph (3)(F)1. or section (4) of this rule cannot be practically met; and

[B.]C. Demonstrate that the alternative CMS produces results that adequately verify compliance.

(G) If a CMS is malfunctioning, a non-department qualified observer measurement may be used as a temporary substitute.

[(I)](H) Time Schedule for Compliance.

1. All new *[sources]* emission units shall comply when operations begin; and

2. All existing *[sources]* emission units shall comply as of the effective date of this rule.

(4) Reporting and Record Keeping.

(A) COMS Reporting. Owners or operators *[of sources]* required to install COMS shall submit a quarterly written report to the director. All quarterly reports shall be postmarked no later than the thirtieth day following the end of each calendar quarter and shall include the following emissions data:

1. A summary including total time for each cause of excess emissions and/or monitor downtime;

2. Nature and cause of excess emissions, if known;

3. The six (6)-minute average opacity values greater than the opacity emission requirements (The average of the values shall be

obtained by using the procedures specified in the Reference Method used to determine the opacity of the visible emissions);

4. The date and time identifying each period during which the COMS was inoperative (except for zero and span checks), including the nature and frequency of system repairs or adjustments that were made during these times; and

5. If no excess emissions have occurred during the reporting period and the COMS has not been inoperative, repaired or adjusted, this information shall be stated in the report.

(B) COMS Records to be Maintained. Owners or operators of affected *[sources]* emission units shall maintain a file (hard copy or electronic version) of the following information for a minimum of two (2) years from the date the data was collected:

1. All information reported in the quarterly summaries; and
2. All six (6)-minute opacity averages and daily Quality Assurance (QA)/Quality Control (QC) records.

(5) Test Methods.

(A) *[Emissions from Stationary Sources—Use one (1) of the following four (4) methods:*

1.] Qualified observer in accordance with 10 CSR 10-6.030(9)(A), *[Reference]* Method 9—Visual Determination of the Opacity of Emissions from Stationary Sources[;].

2. *Qualified observer in accordance with the provisions of 40 CFR part 51, Appendix M—Recommended Test Methods, Method 203A—Visual Determination of Opacity of Emissions from Stationary Sources for Time-Averaged Regulations, promulgated as of July 1, 2007, and hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions;*

3. *Qualified observer in accordance with the provisions of 40 CFR part 51, Appendix M—Recommended Test Methods, Method 203B—Visual Determination of Opacity of Emissions from Stationary Sources for Time-Exception Regulations, promulgated as of July 1, 2007, and hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions; or*

4. *Continuous Opacity Monitoring System that complies with and is installed, calibrated, maintained, and operated in accordance with proposed Test Method 203—Visual Determination of the Opacity of Emissions from Stationary Sources by Continuous Opacity Monitoring Systems (as proposed in the October 7, 1992, Federal Register, Volume 57, pp. 46114–46119).]*

(B) *[Emissions from Mobile Internal Combustion Engines—Use a qualified observer in accordance with the provisions of 40 CFR part 60, Appendix A—Test Methods, Method 22—Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares, promulgated as of July 1, 2007, and hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.] Photogrammetric opacity measurement in accordance with EPA Method ALT-082—Digital camera opacity technique.*

(C) *[Fugitive Emissions from Material Sources, Smoke Emissions from Flares and As Required by Permit Condition—Use a qualified observer in accordance with the provisions of 40 CFR part 60, Appendix A—Test Methods, Method 22—Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares, promulgated as of July 1, 2007, and hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC*

20401. This rule does not incorporate any subsequent amendments or additions.] A modification of the test methods listed in subsections (5)(A) or (5)(B) of this rule. Any modification of a test method listed in subsections (5)(A) or (5)(B) of this rule must be approved by the director and the EPA; and incorporated into this rule and the SIP prior to implementation.

AUTHORITY: section 643.050, RSMo [2000] Supp. 2013. Original rule filed March 31, 1999, effective Nov. 30, 1999. Amended: Filed Feb. 28, 2002, effective Nov. 30, 2002. Amended: Filed Feb. 4, 2008, effective Sept. 30, 2008. Amended: Filed March 29, 2016.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., July 28, 2016. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., August 4, 2016. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 7—Family Healthcare**

PROPOSED RULE

13 CSR 40-7.050 Presumptive Eligibility

PURPOSE: The purpose of this rule is to establish the conditions under which MO HealthNet eligibility will be temporarily available to certain categories of participants based on preliminary determinations by certain categories of providers.

(1) The department shall provide MO HealthNet benefits to individuals during a period of presumptive eligibility for individuals who have been determined eligible for MO HealthNet benefits on the basis of preliminary information by a presumptive eligibility qualified entity in accordance with this rule.

(2) For the purposes of this rule—

(A) Presumptive eligibility means temporary MO HealthNet benefits for children under the age of nineteen (19) (pursuant to 42 U.S.C. sections 1396a(47) and 1396r-1a and 42 CFR sections 435.1102 and 435.1110), parents and other caretaker relatives (pursuant to 42 CFR sections 435.1103 and 435.1110), former foster care children (pursuant to 42 CFR sections 435.1103 and 435.1110), pregnant women (pursuant to 42 U.S.C. sections 1396a(47) and 1396r-1 and 42 CFR sections 435.1103 and 435.1110), and individuals with breast cancer or cervical cancer (pursuant to 42 U.S.C. sections 1396a(47) and 1396r-1b and 42 CFR sections 435.1103 and 435.1110) allowing them to receive MO HealthNet benefits before they have applied for MO HealthNet benefits through the division;

(B) Qualifying hospital has the same meaning as in 42 CFR 435.1110(b);

(C) Federally qualified health center has the same meaning as in

42 U.S.C. section 1396(l)(2)(B);

(D) Rural health clinic has the same meaning as in 42 U.S.C. section 1395x(aa)(2);

(E) Presumptive eligibility qualified entity means a MO HealthNet provider organization responsible for screening individuals/families regarding presumptive eligibility for MO HealthNet benefits.

1. For presumptive eligibility determinations for children under the age of nineteen (19), presumptive eligibility qualified entity means a federally qualified health center, rural health clinic, or qualifying hospital that meets the requirements for a "qualified entity" in 42 U.S.C. section 1396r-1a(b)(3)(A).

2. For presumptive eligibility determinations for pregnant women, presumptive eligibility qualified entity means a county health department, federally qualified health center, rural health clinic, or qualifying hospital that meets the requirements for a "qualified provider" in 42 U.S.C. section 1396r-1(b)(2).

3. For presumptive eligibility determinations for parents and caretaker relatives, presumptive eligibility qualified entity means a qualifying hospital as provided in section 42 CFR 435.1110.

4. For presumptive eligibility determinations for breast and cervical cancer treatment, presumptive eligibility qualified entity means a Show-Me Healthy Women Provider which has a participation agreement with the Missouri Department of Health and Senior Services that meets the requirements for a "qualified entity" in 42 U.S.C. section 1396r-1b(b)(2).

5. For presumptive eligibility determinations for former foster care children, presumptive eligibility qualified entity means a qualifying hospital.

(3) In order to be eligible to be a presumptive eligibility qualified entity, a MO HealthNet provider must first—

(A) Apply to be a presumptive eligibility qualified entity in a manner prescribed by the division which shall include the following information:

1. The name and mailing address of the MO HealthNet provider applying to be a presumptive eligibility qualified entity;

2. The state in which the provider is licensed, registered, or incorporated;

3. The national provider identifier (NPI) number of the provider;

4. The MO HealthNet programs for which the provider intends to be a presumptive eligibility qualified entity; and

5. The name, mailing address, telephone number and email address of the individual who will serve as principal contact between the qualified entity and the division with respect to presumptive eligibility determinations;

(B) Be approved as a presumptive eligibility qualified entity by the division;

(C) Through representatives, attend and successfully complete all training required by the division for presumptive eligibility qualified entities;

(D) Comply with section 208.155, RSMo and shall execute agreements, as required by the division, relating to security, confidentiality, and computer access; and

(E) Post an informational poster regarding the availability of MO HealthNet benefits in its facility reception area or in some other appropriate area of the facility if requested to do so by the division.

(4) A presumptive eligibility qualified entity shall make presumptive eligibility determinations subject to the requirements listed below:

(A) Designated staff or other representatives of the presumptive eligibility qualified entity will offer interested individuals/families the opportunity to apply for and receive benefits based on a presumptive eligibility determination;

(B) Designated staff or other representatives of the presumptive eligibility qualified entity will determine presumptive eligibility for the program;

(C) The presumptive eligibility qualified entity shall provide

applicable MO HealthNet application forms to individuals, parents, and caretakers pursuant to 13 CSR 40-7.015 and assist such persons in completing and filing such forms, or shall assist individuals, parents, and caretakers to apply at mydss.mo.gov;

(D) The presumptive eligibility qualified entity shall notify the individual, parent, or caretaker of the presumptive eligibility determination in writing at the time the determination is made on a form provided or approved by the division;

(E) The presumptive eligibility qualified entity shall notify the division that the participant is presumptively eligible within five (5) working days after the date of a presumptive eligibility determination;

(F) Where a determination of presumptive eligibility is made, the presumptive eligibility qualified entity shall notify the individual, parent, or caretaker in writing on a form provided or approved by the division, that—

1. If a MO HealthNet application is not filed by the last day of the month following the month in which the presumptive eligibility determination is made, the period of presumptive eligibility will end on that last day; and

2. If a MO HealthNet application is filed by the last day of the month following the month in which the presumptive eligibility determination is made, the period of presumptive eligibility will end on the day a decision is made on the MO HealthNet application;

(G) Where a determination is made that the individual is not presumptively eligible, the presumptive eligibility qualified entity shall notify the individual, parent, or caretaker in writing on a form provided or approved by the division, at the time the determination is made, of the reason for the determination and that the individual, parent, or caretaker may file an application for MO HealthNet benefits pursuant to 13 CSR 40-7.015;

(H) In making a presumptive eligibility determination, the presumptive eligibility qualified entity shall apply preliminary eligibility criteria established by applicable law and regulation, using forms provided by the division, and shall approve an application for presumptive eligibility only if the following requirements are met:

1. For children under the age of nineteen (19)—

A. The child must meet the same requirements for income and United States and Missouri residency required for regular Medicaid coverage for children under nineteen (19); and

B. There can be no more than one (1) presumptive eligibility period within a twelve- (12-) month period starting with the effective date of the initial presumptive eligibility period;

2. For parents and caretaker relatives—

A. Individuals must be parents or other caretaker relatives (as defined in 42 CFR 435.4), including pregnant women, of a dependent child (as defined in 42 CFR 435.4) under age eighteen (18);

B. The individual must meet the same requirements for income and United States and Missouri residency required for regular Medicaid coverage for parents; and

C. There can be no more than one (1) presumptive eligibility period within a twelve- (12-) month period starting with the effective date of the initial presumptive eligibility period;

3. For pregnant women—

A. The individual must be pregnant;

B. The woman must meet the same requirements for income and United States and Missouri residency required for regular Medicaid coverage for pregnant women or for coverage under the Show-Me Healthy Baby program; and

C. The individual must not have already received benefits under a MO HealthNet presumptive eligibility program during the current pregnancy;

4. For breast and cervical cancer treatment—

A. The individual must be diagnosed with breast or cervical cancer by a Show-Me Healthy Women Provider unless the participant is diagnosed by a MO HealthNet provider while currently receiving MO Health benefits;

B. The woman must meet the same requirements for income

and United States and Missouri residency required for regular coverage under the Breast and Cervical Cancer Coverage program; and

C. There can be no more than one (1) presumptive eligibility period within a twelve- (12-) month period starting with the effective date of the initial presumptive eligibility period;

5. For former foster care children—

A. The individual must be in foster care under the responsibility of the state of Missouri as of their eighteenth birthday or within thirty (30) days prior to their eighteenth birthday;

B. The individual must be under the age of twenty-six (26) years old;

C. The individual must not be eligible for another MO HealthNet benefits group;

D. The individual must have been covered by MO HealthNet while they were in foster care;

E. The individual must be a Missouri resident; and

F. There can be no more than one (1) presumptive eligibility period within a twelve- (12-) month period starting with the effective date of the initial presumptive eligibility period;

(I) The presumptive eligibility qualified entity shall verify with the division that prospective participants are not currently covered by MO HealthNet or have not already had a period of presumptive eligibility during the past twelve (12) months or, if applicable, during the current pregnancy;

(J) The presumptive eligibility qualified entity shall adhere to the following application processing procedures established by the division:

1. The presumptive eligibility qualified entity shall date stamp the presumptive eligibility applications and MO HealthNet applications on the same day received if paper applications are used;

2. In connection with presumptive eligibility determinations, the division will provide to presumptive eligibility qualified entity only the applicant's or participant's Departmental Client Numbers (DCN), dates of MO HealthNet coverage, correct spelling of names, correct type of assistance, and level of care. All other requests for applicant or participant information from the presumptive eligibility qualified entity to the division shall be accompanied by an appropriate authorization for release of information;

3. To the extent it receives a completed MO HealthNet application, the presumptive eligibility qualified entity shall transmit MO HealthNet applications to the division for final processing so they are received by the division within five (5) business days of the applicant's or participant's signature;

(K) The presumptive eligibility qualified entity shall maintain written or electronic records of all presumptive eligibility applications and determinations along with any related supporting documentation for a period of five (5) years from the date of the determination or application unless litigation or an audit by the department, State Auditor's Office, or the Center for Medicare and Medicaid Services relating to the records has been started prior to the sixth year, then records must be maintained until the litigation or audit is resolved. These records shall be made available to the department, at its request, for the purposes of determining whether the presumptive eligibility qualified entity is in compliance with this rule;

(L) The presumptive eligibility qualified entity's staff that are or will be involved in making presumptive eligibility determinations shall attend or otherwise receive and satisfactorily complete training from the division in the manner prescribed by the division;

(M) The presumptive eligibility qualified entity shall keep up-to-date the identity and contact information of the person who will be the primary contact between the division and the presumptive eligibility qualified entity under paragraph (3)(A)5. of this rule;

(N) The presumptive eligibility qualified entity shall not delegate or subcontract the authority to determine presumptive eligibility to another entity. However, they may implement their presumptive eligibility program with the support of third party contractors.

(5) MO HealthNet benefits begin on the date the presumptive eligi-

bility qualified entity determines that the individual is presumptively eligible. The presumptive eligibility period shall end on the date a decision is made on the individual's MO HealthNet application or, in the event no regular application is filed, on the last day of the month following the month in which the presumptive eligibility determination was made.

(6) After a determination of presumptive eligibility is made, MO HealthNet providers shall provide applicable services during the period the presumptive eligibility determination remains in effect.

(7) In order to remain a presumptive eligibility qualified entity, a presumptive eligibility qualified entity must meet the following performance standards with respect to its presumptive eligibility determinations:

(A) The presumptive eligibility qualified entity must make, and be capable of making, presumptive eligibility determinations in accordance with this rule, including compliance with quality assurance and on-site monitoring efforts by the division;

(B) The division must receive a regular MO HealthNet application for the appropriate program before the end of the presumptive eligibility period with respect to ninety percent (90%) of the participants determined to be presumptively eligible by the presumptive eligibility qualified entity in the aggregate, for each calendar year, and for any shorter review period designated by the division. This standard shall be effective twelve (12) months from the date that the division first approves the qualified entity's application to determine presumptive eligibility;

(C) Ninety-five percent (95%) or more of the applications actually received by the division from participants determined to be presumptively eligible by the presumptive eligibility qualified entity must be approved as eligible for MO HealthNet benefits by the division in the aggregate, for each calendar year, and for any shorter review period designated by the division. This standard shall be effective twelve (12) months from the date that the division first approves the qualified entity's application to determine presumptive eligibility. However, applications denied because the applicant failed to meet eligibility criteria that are not listed in subsection (4)(H) of this rule will not count against the presumptive eligibility qualified entity for the purposes of this performance standard;

(D) The presumptive eligibility qualified entity is required by subsection (4)(I) of this rule to check whether the applicant already has current MO HealthNet coverage. The presumptive eligibility qualified entity shall make this determination of prior coverage accurately with respect to ninety percent (90%) or more of its presumptive eligibility determinations, whether presumptive eligibility is approved or denied, in the aggregate, for each calendar year, and for any shorter review period designated by the division. This standard shall be effective twelve (12) months from the date that the division first approves the qualified entity's application to determine presumptive eligibility;

(E) The presumptive eligibility qualified entity is required by subsection (4)(I) of this rule to check whether the applicant has received MO HealthNet benefits under presumptive eligibility in the past twelve (12) months or, for pregnancy determinations, during the current pregnancy. The presumptive eligibility qualified entity shall make this determination correctly with respect to ninety-eight percent (98%) or more of its presumptive eligibility applicants, whether presumptive eligibility is approved or denied, in the aggregate, for each calendar year, and for any shorter review period designated by the division. This standard shall be effective twelve (12) months from the date that the division first approves the qualified entity's application to determine presumptive eligibility;

(F) The presumptive eligibility qualified entity shall make an accurate presumptive eligibility determination on ninety percent (90%) of its presumptive eligibility applicants, whether presumptive eligibility is approved or denied, in the aggregate, for each calendar year, and for any shorter review period designated by the division. This standard

shall be effective twelve (12) months from the date that the division approves the qualified entity's application to determine presumptive eligibility;

(G) In the event a presumptive eligibility qualified entity fails to meet any of the standards set forth in subsections (7)(A) through (7)(F), the presumptive eligibility qualified entity, upon notification by the division that it has not met the standard(s), shall submit to the division a corrective action plan to ensure future compliance with subsections (7)(A) through (7)(F). The presumptive eligibility qualified entity must amend the corrective action plan as required by the division. Once the division has approved the corrective action plan, the qualified entity must implement and satisfactorily complete the corrective action plan within the time frames set forth in the plan. The division shall monitor the qualified entity's performance on the corrective action plan at least every three (3) months until the division determines that the corrective action plan has been successfully completed;

(H) In the event the presumptive eligibility qualified entity does not submit a corrective action plan acceptable to the division or again fails to meet the performance standards set forth in subsections (7)(A) through (7)(F) after approval by the division of a corrective action plan, the division may disqualify the provider as a presumptive eligibility qualified entity.

1. The qualified entity shall receive thirty (30) days prior notice of its disqualification as a presumptive eligibility qualified entity.

2. The presumptive eligibility qualified entity shall have ten (10) calendar days after receipt of a notice of disqualification to submit a request that the department director reconsider the decision to disqualify. Any such request for reconsideration shall include a detailed explanation of the reasons why the presumptive eligibility qualified entity should not be disqualified for failing to meet performance standards and shall contain any documentation the presumptive eligibility qualified entity wishes the director to consider. It is entirely within the discretion of the department director whether to reconsider the disqualification decision.

3. Disqualification shall be for a minimum of a three- (3-) year period. At the conclusion of the disqualification period, the presumptive eligibility qualified entity may reapply and shall successfully complete training required by the department director in order to be reinstated.

(8) Applicants and participants may not appeal the presumptive eligibility determination made by a presumptive eligibility qualified entity under this rule. However, nothing in this rule limits the ability of an applicant or participant to appeal the final determination of eligibility for MO HealthNet benefits made by the division as otherwise provided by law.

(9) Upon the effective date of this rule, any existing agreements regarding presumptive eligibility between the division and MO HealthNet providers, including providers designated as "qualified providers" or "qualified entities" in such agreements, shall terminate and shall be superseded by this rule, except as follows:

(A) Any provider that is party to such an agreement that notifies the division within thirty (30) days of the effective date of this rule that it intends to continue as a presumptive eligibility qualified entity will not be required to be approved as a presumptive eligibility qualified entity under subsection (3)(B) of this rule with respect to the MO HealthNet program for which it was previously authorized by contract to make presumptive eligibility determinations;

(B) Any provider who notifies the division under subsection (9)(A) of its intention to continue as a presumptive eligibility qualified entity shall remain subject to all other requirements of this rule, including the requirement to submit the information specified in subsection (3)(A).

AUTHORITY: section 207.022, RSMo Supp. 2014, section 208.151.1(22), RSMo Supp. 2013, and section 660.017, RSMo 2000.

Original rule filed March 31, 2016.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Social Services, Family Support Division, Julie Gibson, Director, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 35—Dental Program

PROPOSED AMENDMENT

13 CSR 70-35.010 Dental Benefits and Limitations, MO HealthNet Program. The MO HealthNet Division is amending sections (1), (3), and (6).

PURPOSE: This amendment removes restrictions on the MO HealthNet dental coverage benefit, adds the expansion of limited dental services to the MO HealthNet eligible adult population, and changes the date in which the updated online Dental Provider Manual will be published. It also adds the word "Provider" to any instance of "Dental Manual" for the purposes of clarity.

(1) Administration. The MO HealthNet dental program shall be administered by the MO HealthNet Division, Department of Social Services. The dental services covered and not covered, the limitations under which services are covered, and the maximum allowable fees for all covered services shall be determined by the MO HealthNet Division and shall be included in the MO HealthNet *Dental Provider Manual*, which is incorporated by reference and made 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 www.dss.mo.gov/mhd, [November 1, 2011] **May 2, 2016**. This rule does not incorporate any subsequent amendments or additions. Dental services covered by the MO HealthNet program shall include only those which are clearly shown to be medically necessary. The division reserves the right to effect changes in services, limitations, and fees with proper notification to MO HealthNet dental providers.

(3) Participant Eligibility. The MO HealthNet dental provider shall ascertain the patient's MO HealthNet status before any service is performed. The participant's MO HealthNet/MO HealthNet for Kids eligibility is determined by the Family Support Division. The participant's eligibility shall be verified from a current MO HealthNet/MO HealthNet for Kids identification card or a letter of new approval in the participant's possession. The patient must be a MO HealthNet eligible participant under the MO HealthNet/MO HealthNet for Kids program on the date the service is performed. The MO HealthNet Division is not allowed to pay for any service to a patient who is not eligible under the MO HealthNet/MO HealthNet for Kids program.

(A) *[MO HealthNet reimbursement of dental services shall be limited to MO HealthNet eligible children or persons receiving MO HealthNet under a category of assistance for pregnant women or the blind.] Coverage of dental services for adults is limited to certain categories of service and may require prior authorization: trauma of the mouth, jaw, teeth, or other*

contiguous sites as a result of injury; treatment of a disease/medical condition without which the health of the individual would be adversely affected; preventive services; restorative services; periodontal treatment; oral surgery; extractions; radiographs; pain evaluation and relief; infection control; and general anesthesia. Further detail on covered adult dental services may be referenced at www.dss.mo.gov/mhd.

(B) MO HealthNet participants living in a nursing facility will not experience dental service reductions. Nursing facility level of care must be indicated on the MO HealthNet eligibility file. When providing dental services to a participant who is living in a nursing facility providers should continue to submit claims to MO HealthNet. MO HealthNet eligible nursing facility residents will have payments for dental care adjudicated through the MO HealthNet claims payment system.

(C) For all other eligibility categories of MO HealthNet assistance dental services will only be reimbursed if the dental care is related to trauma of the mouth, jaw, teeth, or other contiguous sites as a result of injury or as related to a medical condition when a written referral from the participant's physician states the absence of dental treatment would adversely affect the stated pre-existing medical condition.

1. Reimbursement for dental care shall be limited to those procedure codes identified in section (19) of the MO HealthNet Dental Provider Manual which may be referenced at www.dss.mo.gov/mhd; and

2. Participants must have a written referral from their physician stating the absence of dental treatment would adversely affect the stated pre-existing medical condition. This referral must be maintained in the patient's record and made available to the MO HealthNet Division or its agent upon request.]

(6) Services, Covered and Noncovered. The MO HealthNet *Dental Provider Manual* shall provide the detailed listing of procedure codes for services covered by the MO HealthNet Dental Program. Pricing information can be obtained from the fee schedule posted at www.dss.mo.gov/mhd/providers/pages/cptagree.htm.

AUTHORITY: section[s] 208.152, RSMo Supp. 2015, and sections 208.153[,] and 208.201, RSMo Supp. [2011] 2013. This rule was previously filed as 13 CSR 40-81.040. Original rule filed Jan. 21, 1964, effective Jan. 31, 1964. For intervening history, please consult the Code of State Regulations. Amended: Filed April 1, 2016.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions sixteen million four hundred sixty-seven thousand eight hundred eighty-eight dollars (\$16,467,888) in the aggregate annually for the life of the rule.

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: 35 - Dental**

Rule Number and Name:	13 CSR 70-35.010 Adult Dental
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, MO HealthNet Division	Annual Fiscal Year Impact – 16,467,888

III. WORKSHEET

The total annual cost for funding adult dental procedure codes (Tier 1-6) for Medicaid individuals who currently do not receive dental benefits under the MO HealthNet fee for service program and managed care programs is estimated at \$16,467,888.

IV. ASSUMPTIONS

Estimated utilization was based on an adjusted number of units provided to adults in FY 2004, the last time adults received dental coverage.

Estimated costs for adding Adult Extraction, Exam, and Imaging Codes

Tier 1 Procedure Codes	\$4,273,132
Tier 2 Procedure Codes	193,427
Tier 3 Procedure Codes	983,779
Tier 4 Procedure Codes	916
Tier 5 Procedure Codes	1,509,890
Tier 6 Procedure Codes	<u>2,646,510</u>
	\$9,607,653 Total Fee for Service (FFS)
 Total Estimated FFS	 \$9,607,653
Total Estimated Managed Care	<u>6,860,235</u>
Total Estimated Cost	\$16,467,888
 GR	 \$6,039,927
Federal	\$10,427,961

Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 3—Rules Applying to Political Subdivisions

PROPOSED RESCISSION

15 CSR 40-3.120 Calculation and Revision of Property Tax Rates. This rule applied to all political subdivisions and was designed to implement section 137.073, RSMo as it applied to calculating and revising property tax rates.

PURPOSE: This rule is being rescinded as the statutory authority for the rule was amended in 2013.

AUTHORITY: section 137.073.6., RSMo Supp. 1999. A version of this rule was previously filed as 15 CSR 40-3.100 and 15 CSR 40-3.110. Emergency rule filed July 14, 2000, effective July 24, 2000, expired Feb. 22, 2001. Emergency rescission filed Sept. 24, 2004, effective Oct. 4, 2004, expired April 1, 2005. Original rule filed July 14, 2000, effective Feb. 28, 2001. Rescinded: Filed March 24, 2016.

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

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

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Auditor's Office, Attention: Paul Harper, PO Box 869, Jefferson City, MO 65102 or email to rules@auditor.mo.gov. To be considered, comments must be received by June 6, 2016. A public hearing is scheduled for 10:00 a.m. on June 3, 2016, at the Harry S Truman Office Building, Room 493/494, 301 West High Street, Jefferson City, Missouri 65101.

SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify the Missouri State Auditor's Office at (573) 751-4213 at least five (5) working days prior to the hearing.

Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 3—Rules Applying to Political Subdivisions

PROPOSED RULE

15 CSR 40-3.125 Calculation and Revision of Property Tax Rates by School Districts

PURPOSE: This rule clarifies the current procedure that applies to all school districts and is designed to implement section 137.073, RSMo, as it applies to calculating and revising property tax rates. Under the Missouri Constitution, Article X, Section 22, and section 137.073, RSMo, school districts must calculate their annual tax rate ceilings and submit them to the Missouri State Auditor's Office.

(1) The following forms may be used by school districts as applicable to substantiate the tax rate ceilings before submission of the information via the Missouri State Auditor's Office website portal, which is accessible by obtaining a username and password from the Missouri State Auditor's Office. If a school district is unable to submit the information via the website, the school district may submit these forms via mail to, Missouri State Auditor's Office, Attention: Tax Rate Section, PO Box 869, Jefferson City, MO 65102.

(2) Single Tax Rate—The following forms with instructions for single tax rate review have been adopted and approved for use by school districts (not wholly in St. Louis County):

(A) Tax Rate Summary—For School Districts Levying a Single Rate on All Property, included herein;

(B) Tax Rate Form A—For School Districts Levying a Single Rate on All Property, included herein;

(C) Tax Rate Form B—For School Districts Levying a Single Rate on All Property, included herein;

(D) Tax Rate Form C—For School Districts Levying a Single Rate on All Property, included herein;

(E) Informational Tax Rate Data—For School Districts Levying a Single Rate on All Property, included herein;

(F) Tax Rate Form G—For School Districts Levying a Single Rate on All Property, included herein; and

(G) Tax Rate Form H—For School Districts Levying a Single Rate on All Property, included herein.

(3) Multi Tax Rate—The following forms with instructions for multi tax rate review have been adopted and approved for use by school districts levying a separate rate on each subclass of property (wholly in St. Louis County):

(A) Tax Rate Summary—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(B) Tax Rate Form A—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(C) Tax Rate Form B—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(D) Tax Rate Form C—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(E) Informational Tax Rate Data Summary—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(F) Informational Tax Rate Data Form A—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(G) Informational Tax Rate Data Form B—For School Districts Calculating a Separate Rate on Each SubClass of Property, included herein;

(H) Tax Rate Form G—For School Districts With a Separate Rate on Each SubClass of Property, included herein; and

(I) Tax Rate Form H—For School Districts With a Separate Rate on Each SubClass of Property, included herein.

(4) If revisions or amendments to any information on the tax rate forms need to be made after submission to the State Auditor's Office, the revisions shall be made via the Missouri State Auditor's Office website portal.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Tax Rate Summary

(20__)

For SCHOOL DISTRICTS Levying a Single Rate on ALL PROPERTY

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____

The final version of this form MUST be sent to the County Clerk to forward to the State Auditor's Office.

The information to complete the Tax Rate Summary is available from prior year forms, computed on the attached forms, or computed on this page.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Tax Rate Data at the end of these forms provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

- A. **Prior Year Tax Rate Ceiling** as defined in Chapter 137 RSMo. Revised if the Prior Year Data Changed or a Voluntary Reduction was taken in a Non-Reassessment Year. (Prior Year Tax Rate Summary, Line F minus Line H in Odd Numbered Year) (Prior Year Tax Rate Summary, Line F in Even Numbered Year) _____
- B. **Current Year Rate Computed** Pursuant to Article X, Section 22 of the Missouri Constitution and Section 137.073, RSMo. If no Voter Approved Increase (Tax Rate Form A, Line 22) _____
- C. **Amount of Rate Increase Authorized by Voters** (If Same Purpose) Greater of the Voter Approved Increase or Voter Approved Increase Adjusted to provide the revenue available if applied to the prior assessment & increased by the CPI%. (Tax Rate Form B, Line 16) **OR** Increase to the Total Operating Levy up to \$2.75 per Amendment 2, If Applicable. Date the School Board Decided to Use Amend. 2 (if using Amend. 2). _____
- D. **Rate to Compare to Maximum Authorized Levy to Determine Tax Rate Ceiling** [Line B (if no election), Otherwise Line C (if there was an election)] _____
- E. **Maximum Authorized Levy** Greater of the 1984 rate or most recent voter approved rate [Greater of Prior Year Line E or Current Year Line D (if there was an election), Otherwise Prior Year Line E] _____
- F. **Current Year Tax Rate Ceiling** (Lower of Line D or E) Maximum Legal Rate to Comply with Missouri Laws _____
- G1. **Less Required Proposition C (Sales Tax) Reduction** taken from Tax Rate Ceiling (Line F), If Applicable Circle the type of waiver your district has Full Partial No Attach a copy of the DESE Prop C Reduction Worksheet if there is no waiver. _____
- G2. **Less 20% Required Reduction 1st Class Charter County School District NOT Submitting an Estimate Non-Binding Tax Rate to the County(ies)** taken from Tax Rate Ceiling (Line F). _____
- H. **Less Voluntary Reduction By School District** taken from Tax Rate Ceiling (Line F). WARNING: A VOLUNTARY REDUCTION TAKEN IN AN EVEN-NUMBERED YEAR WILL LOWER THE TAX RATE CEILING FOR THE FOLLOWING YEAR
- I. **Plus Allowable Recoupment Rate** added to the Tax Rate Ceiling (Line F). If Applicable (Attach Form G or H) _____
- J. **Tax Rate To Be Levied** (Line F - Line G1 - Line G2 - Line H + Line I) _____
- AA. **Rate To Be Levied For Debt Service** If Applicable (Tax Rate Form C, Line 12) _____
- BB. **Additional Special Purpose Rate Authorized By Voters** After the Prior Year Tax Rates Were Set. Greater of the Voter Approved Increase or Voter Approved Increase Adjusted to provide the revenue available if applied to prior year assessment & increased by CPI%. (Tax Rate Form B, Line 16 if a Different Purpose) _____

CERTIFICATION

I, the undersigned, _____ (Office) of _____ (School District) levying a rate in _____ County(ies) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best knowledge and belief. Please complete Line G - BB, sign this form, and return to the County Clerk(s) for final certification.

_____	_____	_____	_____
(Date)	(Signature)	(Print Name)	(Telephone)

Proposed rate to be entered on tax books by County Clerk

Based on Certification from the Political Subdivision: Lines J _____ AA _____ BB _____

Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

_____	_____	_____	_____
(Date)	(County Clerk's Signature)	(County)	(Telephone)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED
Tax Rate Form A
For SCHOOL DISTRICTS Levying a Single Rate on ALL PROPERTY

(20__)

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____

The final version of this form MUST be sent to the County Clerk to forward to the State Auditor's Office.

Computation of reassessment growth and rate for compliance with Article X, Section 22 and Section 137.073, RSMo.

1. (20__) Current Year Assessed Valuation

Include the current locally assessed valuation obtained from the County Clerk, County Assessor, or comparable office finalized by the local board of equalization.

(a) _____ + (b) _____ = _____
(Real Estate) (Personal Property) (Total)

2. Assessed Valuation of New Construction and Improvements

2(a) - Obtained from the County Clerk or County Assessor

2(b) - Increase in Personal Property. Use the formula listed under Line 2(b).

(a) _____ + (b) _____ = _____
(Real Estate) Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b) (Total)
If Line 2b is Negative, Enter Zero

3. Assessed Value of Newly Added Territory

Obtained from the County Clerk or County Assessor.

(a) _____ + (b) _____ = _____
(Real Estate) (Personal Property) (Total)

4. Adjusted Current Year Assessed Valuation

[Line 1 (Total) - Line 2 (Total) - Line 3 (Total)]

5. (20__) Prior Year Assessed Valuation

Include prior year locally assessed valuation obtained from the County Clerk, County Assessor, or comparable office finalized by the local board of equalization.

Note: If this is different than the amount on the Prior Year Tax Rate Form A, Line 1, then revise the Prior Year tax rate form to re-calculate the Prior Year Tax Rate Ceiling. Enter the revised Prior Year Tax Rate Ceiling on this year's Tax Rate Summary, Line A.

(a) _____ + (b) _____ = _____
(Real Estate) (Personal Property) (Total)

6. Assessed Value of Newly Separated Territory

Obtained from the County Clerk or County Assessor.

(a) _____ + (b) _____ = _____
(Real Estate) (Personal Property) (Total)

7. Assessed Value of Property Locally Assessed in Prior Year, but State Assessed in Current Year

Obtained from the County Clerk or County Assessor.

(a) _____ + (b) _____ = _____
(Real Estate) (Personal Property) (Total)

8. Adjusted Prior Year Assessed Valuation

[Line 5 (Total) - Line 6 (Total) - Line 7 (Total)]



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED
Tax Rate Form B

(20__)

For SCHOOL DISTRICTS Levying a Single Rate on ALL PROPERTY

Name of Political Subdivision Political Subdivision Code Purpose of Levy

The final version of this form MUST be sent to the County Clerk to forward to the State Auditor's Office.
Calculation of New Voter Approved Tax Rate or Tax Rate Increase

Since the prior year tax rate computation, some political subdivisions may have held elections where the voters approved an increase in an existing tax or approved a new tax. Form B is designed to document the election.

1. Date of Election

2. Ballot Language

Attach a sample ballot or state the proposition posed to the voters exactly as it appeared on the ballot.

3. Election Results

(Yes) (No)

4. Expiration Date (If no sunset clause in ballot, leave blank)

Enter the last year the levy will be in effect, if applicable.

5. New Proposition C Waiver

Indicate whether the district obtained a new waiver to eliminate part or all of the required Proposition C Reduction.

Indicate the election results on the Proposition C Waiver

(Yes) (No)

6. Amount of Increase Approved by Voters

(An "Increase/Decrease of" or an "Increase/Decrease by")

OR

(a) _____

Stated Rate Approved by Voters

(An "Increase/Decrease to")

(b) _____



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Tax Rate Form B

(20__)

For SCHOOL DISTRICTS Levying a Single Rate on ALL PROPERTY

Name of Political Subdivision	Political Subdivision Code	Purpose of Levy
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The final version of this form MUST be sent to the County Clerk to forward to the State Auditor's Office.
Calculation of New Voter Approved Tax Rate or Tax Rate Increase

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Tax Rate Data at the end of these forms provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

For Political Subdivision Use in Calculating its Tax Rate

- 7. **Prior Year Tax Rate Ceiling or Voluntarily Reduced Rate to Apply Voter Approved Increase to.**
(Tax Rate Summary, Line A if Increase to an Existing Rate, Otherwise 0)
- 8. **Voter Approved Increased Tax Rate to Adjust**
(If an "Increase of" ballot, Line 6a + Line 7. If an "Increase to" ballot, Line 6b)
- 9. **Adjusted Prior Year Assessed Valuation**
(Tax Rate Form A, Line 8)
- 10. **Maximum Prior Year Adjusted Revenue**
from property that existed in both years
(Line 8 x Line 9 / 100)
- 11. **Consumer Price Index (CPI)**
as Certified by the State Tax Commission
- 12. **Permitted Revenue Growth for CPI**
(Line 10 x Line 11)
- 13. **Total Revenue Allowed from the Additional Voter Approved Increase**
from property that existed in both years
(Line 10 + Line 12)
- 14. **Adjusted Current Year Assessed Valuation**
(Form A, Line 4)
- 15. **Adjusted Voter Approved Increased Tax Rate**
This rate will allow the same revenue as applying the Voter Approved Increase Rate (Line 8) to the Prior Year Assessed Value (Line 9) Increased by the CPI (Line 11).
(Line 13 / Line 14 x 100)
- 16. **Amount of Rate Increase Authorized by Voters for the Current Year**
House Bill No. 506, passed in 2011, allows taxing authorities that passed a voter approved increase after August 27, 2008 to levy a rate that is the greater of the increase approved by voters (Line 8) or the adjusted voter approved increase (Line 15) in order to generate substantially the same revenue that would have been generated by applying the voter approved increase to the total assessed valuation at the time of the voter approval increased by the consumer price index (Line 11). Enter this Rate Computed on the Tax Rate Summary, Line C if increasing an existing levy, Otherwise, on the Tax Rate Summary, Line BB if this is a new or a temporary rate increase.
(If Line 8 > Line 15, then Line 8, Otherwise Line 15)



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Tax Rate Form C

(20__)

For SCHOOL DISTRICTS Levying a Single Rate on ALL PROPERTY

Name of Political Subdivision	Political Subdivision Code	Debt Service Purpose of Levy
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The final version of this form MUST be sent to the County Clerk to forward to the State Auditor's Office.

Debt Service Calculation for General Obligation Bonds Paid for with Property Taxes.

The tax rate for Debt Service will be considered valid if, after making the payment(s) for which the tax was levied, the bonds remain outstanding, and the debt fund reserves do not exceed the following year's payments.

Since the property taxes are levied and collected on a calendar year basis (January - December), it is recommended that this levy be computed using calendar year data.

1. **Total current year assessed valuation** obtained from the County Clerk or Assessor.
(Tax Rate Form A, Line 1 Total) _____
2. **Amount required to pay debt service requirements during the next calendar year**
(i.e. Assuming the current year is Year 1, use January - December (Year 2) payments to complete the (Year 1) Form C).
Include the principal and interest payments due on outstanding general obligation bond issues plus anticipated fees of any transfer agent or paying agent due during the next calendar year. _____
3. **Estimated costs of collection (collector fees & commissions and Assessment Fund withholdings) and anticipated delinquencies.**
Experience in prior years is the best guide for estimating un-collectible taxes.
(Usually 2% to 10% of Line 2 above) _____
4. **Reasonable reserve up to one year's payment**
(i.e. Assuming the current year is Year 1, use January - December (Year 3) payments to complete the (Year 1) Form C).
It is important that the Debt Service Fund have sufficient reserves to prevent any default on the bonds.
Include payments for the year following the next calendar year accounted for on Line 2. _____
5. **Total required for debt service** (Line 2 + Line 3 + Line 4) _____
6. **Anticipated balance at end of current calendar year.**
Show the anticipated bank or fund balance at December 31st of this year (this will equal the current balance minus the amount of any principal or interest due before December 31st plus any estimated investment earning due before December 31st). Do not add the anticipated collections of this tax into this amount. _____
7. **Property tax revenue required for debt service** (Line 5 - Line 6)
Line 6 is subtracted from Line 5 because the debt service fund is only allowed to have the payments required for the next calendar year (Line 2) and the reasonable reserve of the following year's payment (Line 4). Any current balance in the fund is already available to meet these requirements so it is revenues required for Debt Service Purposes. _____
8. **Estimated revenue from state assessed property for debt service for the next calendar year (January - December)** - Must be estimated by the school district. In most instances a good estimate would be the same amount as the state assessed revenues actually placed in the Debt Service Fund in the prior year. _____
9. **Revenue required from locally assessed property for debt service**
(Line 7 - Line 8) _____
10. **Computation of debt service tax rate** [(Line 9 / Line 1) x 100]
Round a fraction to the nearest one/one hundredth of a cent. _____
11. **Less Voluntary Reduction By School District** _____
12. **Actual rate to be levied for debt service purposes *** (Line 10 - Line 11)
Enter this rate on Line AA of the Tax Rate Summary. _____

* The tax rate levied may be lower than the rate computed as long as adequate funds are available to service the debt requirements.



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Informational Tax Rate Data

(20__)

For SCHOOL DISTRICTS Levying a Single Rate on ALL PROPERTY

Name of Political Subdivision	Political Subdivision Code	Purpose of Levy	Based on Prior Year Tax Rate Ceiling as if No Voluntary Reductions were Taken
This page shows the information that would have been on the line items for the Summary, Form A, and/or Form B had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.			
Step 1 The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.			
Step 2 Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.			
Informational Tax Rate Summary Information			
A. Prior Year Tax Rate Ceiling (Prior Year Informational Tax Rate Data, Line F)			_____
B. Current Year Rate Computed (Informational Tax Rate Form A, Line 22 below)			_____
C. Amount of Increase Authorized by Voters for Current Year (Informational Tax Rate Form B, Line 16 below)			_____
D. Rate to Compare to Maximum Authorized Levy [Line B (if no election), Otherwise Line C (if there was an election)]			_____
E. Maximum Authorized Levy [Greater of Prior Year Line E or Current Year Line D (if there was an election), Otherwise Prior Year Line E]			_____
F. Tax Rate Ceiling if No Voluntary Reductions were Taken in a Prior Even Numbered Year (Lower of Line D or E)			_____
Informational Tax Rate Form A, Page 2 Information			
9. Percentage Increase in Adjusted Valuation [(Tax Rate Form A, Line 4 - Line 8) / Line 8 x 100]			_____
10. Increase in Consumer Price Index as Certified by the State Tax Commission.			_____
11. Adjusted Prior Year Assessed Valuation (Tax Rate Form A, Line 8)			_____
12. (20__) Tax Rate Ceiling From Prior Year (Informational Tax Rate Summary, Line A from above)			_____
13. Maximum Prior Year Adjusted Revenue from Locally Assessed Property that existed in both years. [(Line 11 x Line 12) / 100]			_____
14. Maximum Prior Year Adjusted Revenue from State Assessed Property (before reductions) . Provided by DESE			_____
15. Total Adjusted Prior Year Revenue (Line 13 + Line 14)			_____
16. Permitted Reassessment Revenue Growth <i>The percentage entered on Line 16 should be the lower of the actual growth (Line 9), the CPI (Line 10), or 5%. A negative figure on Line 9 is treated as a zero for Line 16 purposes. Do not enter less than 0, nor more than 5%.</i>			_____
17. Additional Reassessment Revenue Permitted (Line 15 x Line 16)			_____
18. Total Revenue Permitted in Current Year from property that existed in both years. (Line 15 + Line 17)			_____
19. Estimated Current Year Revenue from State Assessed Property (before reductions) estimated by school district			_____
20. Revenue Permitted from Existing Locally Assessed Property (Line 18 - Line 19)			_____
21. Adjusted Current Year Assessed Valuation (Form A, Line 4)			_____
22. Maximum Tax Rate Permitted by Article X, Section 22 and Section 137.073 RSMo. If No Voluntary Reduction was Taken [(Line 20 / Line 21) x 100]			_____
Informational Tax Rate Form B, Page 2 Information			
7. Prior Year Tax Rate Ceiling to Apply Voter Approved Increase to. (Informational Tax Rate Summary, Line A if Increase to an Existing Rate, Otherwise 0)			_____
8. Voter Approved Increased Tax Rate to Adjust (If an "Increase of" ballot, Tax Rate Form B, Line 6a + Line 7. If an "Increase to" ballot, Tax Rate Form B, Line 6b)			_____
9. Adjusted Prior Year Assessed Valuation (Tax Rate Form A, Line 8)			_____
10. Maximum Prior Year Adjusted Revenue from property that existed in both years. (Line 8 x Line 9 / 100)			_____
11. Consumer Price Index (CPI) as Certified by the State Tax Commission.			_____
12. Permitted Revenue Growth for CPI (Line 10 x Line 11)			_____
13. Total Revenue Allowed from the Additional Voter Approved Increase from property that existed in both years. (Line 10 + Line 12)			_____
14. Adjusted Current Year Assessed Valuation (Tax Rate Form A, Line 4)			_____
15. Adjusted Voter Approved Increased Tax Rate (Line 13 / Line 14 x 100)			_____
16. Amount of Rate Increase Authorized by Voters for the Current Year (If Line 8 > Line 15, then Line 8, Otherwise, Line 15)			_____



Tax Rate Form G
For School Districts Levying a Single Rate on ALL PROPERTY

(20__)

Name of School District

Political Subdivision Code

Purpose of Levy

INITIAL CALCULATION OF ALLOWED RECOUPMENT & CALCULATION OF FIRST YEAR OF RECOUPMENT TAKEN FOR COMPLIANCE WITH SECTION 137.073.3(2)(a) and (b)

If assessments are reduced after tax rates are set and the reductions are due to decisions of the State Tax Commission or a judicial court or are due to clerical corrections, the existing tax rate ceiling may be revised to compensate for the changes described above. A political subdivision may document these changes by filing revised copies of each of the tax rate forms for each year that is affected. These changes should be clearly marked on the revised forms and a written explanation of the revised should be attached.

Before completion of this form, revisions are required to the prior year(s) tax rate forms to determine the revised assessed valuation and revised tax rate ceiling. Revised forms must be filed with the State Auditor before or at the time the recoupment form is filed.

After making revisions, a political subdivision may be permitted to levy an additional tax for up to three years to recoup the revenues it was entitled to receive for the prior year(s) affected by the revisions. The steps below determine if a recoupment is permissible and document to what extent the political subdivision desires to recoup in the current year.

Start with the oldest prior year (if applicable) and work forward to the present.

Please provide a written explanation in the space below (or by attaching an explanation) as to why the political subdivision would be eligible for the recoupment process.

CERTIFICATION

I, the undersigned hereby do certify that the data set forth on the accompanying forms is true and accurate to the best of my knowledge and belief.

Name of School District

(Telephone)

(Signature)

District Number

(Date)

(Printed Name)

Purpose of Levy



Tax Rate Form G
For School Districts Levying a Single Rate on ALL PROPERTY

(20__)

Name of School District _____ Political Subdivision Code _____ Purpose of Levy _____

INITIAL CALCULATION OF ALLOWED RECOUPMENT & CALCULATION OF FIRST YEAR OF RECOUPMENT TAKEN FOR COMPLIANCE WITH SECTION 137.073.3(2)(a) and (b)

NOTE: LIST ADDITIONAL PRIOR YEARS IN SEPARATE COLUMNS IF NEEDED.

	Prior Year	Second Prior Year	Third Prior Year
	(2)	(2)	(2)
1. Revised Locally Assessed Valuation After the changes to prior year(s) (Revised Tax Rate Form A, Line 1 Total)	_____	_____	_____
2. Revised Tax Rate Ceiling After the revision to the assessed valuation was made. (Revised Tax Rate Summary, Line F)	_____	_____	_____
3. Revised Permissible Locally Assessed Tax Revenue [(Line 1 x Line 2)/100]	_____	_____	_____
4. Revised Locally Assessed Valuation (Line 1)	_____	_____	_____
5. Original Tax Rate Ceiling (certified) (Original Tax Rate Summary, Line F)	_____	_____	_____
6. Total Locally Assessed Tax Revenue Actually Produced [(Line 4 x Line 5)/100]	_____	_____	_____
7. Revenue Loss Due to Local Assessment Reduction (Line 3 - Line 6)	_____	_____	_____
8. Estimated Lost Revenue from State Assessed Property Due to Revised Rates or State Assessment Reductions This amount <u>must be</u> estimated by the District	_____	_____	_____
9. Total Lost Revenue Allowed to be Recouped (Line 7 + Line 8)	_____	_____	_____
10. Total Revenue Loss (Total of Line 9)	_____	_____	_____
11. Revenue Desired to Recoup in Current Year Revenue the District chooses to recoup in the current year. (Do Not Enter Less than Line 9 for the Oldest Prior Year (20__)) Nor More than Line 10)	_____	_____	_____
12. Estimated Amount of Current Collections from State Assessed Property for Recoupment of Loss This amount <u>must be</u> estimated by the District.	_____	_____	_____
13. Amount to be Recouped from Locally Assessed Property (Line 11 - Line 12)	_____	_____	_____
14. Total Current Year (20__) Locally Assessed Valuation [Current (20__) Tax Rate Form A, Line 1]	_____	_____	_____
15. Rate to be Levied to Partially or Fully Recoup the Loss (Line 13 / Line 14 x 100) Enter this rate on the current year (20__) Tax Rate Summary, Line I.	_____	_____	_____
Complete lines 16 and 17 IF Line 11 is less than Line 10 Form H will Need to be Completed to Continue this Recoupment in the 2nd & / or 3rd Year			
16. Portion of revenue on Line 9 for second prior year (20__) reserved for second year of recoupment	_____	_____	_____
17. Portion of revenue on Line 9 for prior year (20__) reserved for second or third year of recoupment	_____	_____	_____



Tax Rate Form H
For School Districts Levying a Single Rate on ALL PROPERTY

(20__)

Name of School District

Political Subdivision Code

Purpose of Levy

Assessment reductions ordered after tax rates are set may result in a loss of revenue. In certain instances, a separate recoupment rate may be levied in a subsequent year to replace the revenue lost (see Tax Rate Form G). A political subdivision may choose not to fully recoup the revenue lost in one year. A three-year period following the year in which the loss occurred is allowed by statute for recouping the lost revenues. Tax Rate Form H is used to document the revenue remaining to be recouped and the allowable recoupment rate when there is a carry over.

Before completion of this form, Form G must have been completed in a prior year.

COMPUTATION OF RECOUPMENT RATE

	Total
1. Total Revenue Lost Due to Assessment Reductions (Tax Rate Form G, Line 10)	
2. Revenue Recouped in Prior Year(s)	
____ Year	
a. Assessed Valuation (Locally Assessed Only)	
b. Recoupment Rate (Certified)	
c. Revenue Recouped [(Line 2a x Line 2b) / 100]	
d. Revenue Recouped from State Assessed Property	
____ Year	
e. Assessed Valuation (Locally Assessed Only)	
f. Recoupment Rate (Certified)	
g. Revenue Recouped [(Line 2e x Line 2f) / 100]	
h. Revenue Recouped from State Assessed Property	
3. Total Revenue Recouped in Prior Year(s) (Line 2c + Line 2d + Line 2g + Line 2h)	
4. Revenue Remaining to be Recouped (Line 1 - Line 3)	
5. Revenue Desired to be Recouped in the Current Year The law provides for recoupment no further back than the third prior year. For example, if the recoupment rate is being computed for 2006, the revenue lost from 2003 must be recouped or waived.	
6. Revenue that will be recouped from State Assessed Property in the Current Year	
7. Revenue to be Recouped from Locally Assessed Property in the Current Year (Line 5 - Line 6)	
8. Total Current Year Assessed Valuation Obtained from the County Clerk or Assessor (Tax Rate Form A, Line 1)	
9. Rate(s) to be Levied to Partially or Fully Recoup the Lost Revenue [(Line 7 / Line 8) x 100]	

CERTIFICATION

I, the undersigned hereby do certify that the data set forth below is true and accurate to the best of my knowledge and belief.

Name of Political Subdivision

(Telephone)

(Signature)

Political Subdivision No.

(Date)

(Print Name)

Purpose of Levy



PRO FORMA - STATE AUDITOR'S REVIEW OF DATA SUBMITTED

Tax Rate Summary

(20__)

For School Districts Calculating a Separate Rate on Each SubClass of Property

Name of Political Subdivision _____ Political Subdivision Code _____ Purpose of Levy _____
The final version of this form MUST be sent to the County Clerk to forward to the State Auditor's Office.

The information to complete the Tax Rate Summary is available from prior year forms, computed on the attached forms, or computed on this page.

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information on the Informational Tax Rate Data Summary at the end of these forms provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

	Real Estate			Personal Property	Prior Method Single Rate
	Residential	Agriculture	Commerical		

- A. **Prior Year Tax Rate Ceiling** as defined in Chapter 137, RSMo. Revised if Prior Year Data Changed or a Voluntary Reduction was Taken in a Non-Reassessment Year. (Prior Year Tax Rate Summary, Line F minus Line H in Odd Numbered Year)
(Prior Year Tax Rate Summary, Line F in Even Numbered Year)
- B. **Current Year Rate Computed** Pursuant to Article X, Section 22 of the Missouri Constitution and Section 137.073 RSMo. If no Voter Approved Increase.
[Tax Rate Form A, Line 41 & Line 27 (Prior Method)]
- C. **Amount of Rate Increase Authorized by Voters** (If Same Purpose)
Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI. OR
Increase of the Total Operating Levy up to \$2.75 per Amendment 2, If Applicable
Date the School Board decided to use Amend 2: _____
(Tax Rate Form B, Line 16)
- D. **Rate to Compare to Maximum Authorized Levy to Determine Tax Rate Ceiling**
[Line B (if no election) otherwise Line C]
- E. **Maximum Authorized Levy** Greater of the 1984 rate or most recent voter approved rate
[Greater of Prior Year Line E or Current Year Line D (if there was an election), Otherwise Prior Year Line E]
- F. **Current Year Tax Rate Ceiling**
Maximum Legal Rate to Comply with Missouri Laws
- G. 1. **Less Required Prop C Tax Reduction** taken from
Tax Rate Ceiling (Line F) If Applicable. Circle the type of waiver your district has Full Partial No
Attach a copy of the DESE Prop C Reduction Worksheet if there is no waiver
- G. 2. **Less 20% Required Reduction 1st Class Charter County School District NOT Submitting an Estimate Non-Binding Tax Rate to the County(ies) taken from Tax Rate Ceiling (Line F).**
- H. **Less Voluntary Reduction By School District** taken from Tax Rate Ceiling (Line F).
WARNING: A Voluntary Reduction Taken In An Even-Numbered Year Will Lower The Tax Rate Ceiling For The Following Year
- I. **Plus Allowable Recoupment Rate** added to Tax Rate Ceiling (Line F)
If Applicable (Attach Form G or H)
- J. **Tax Rate To Be Levied** (Line F - Line G1 - Line G2 - Line H + Line I)
- AA. **Rate to be Levied For Debt Service** If Applicable (Form C, Line 12)
- BB. **Additional Special Purposed Rate Authorized By Voters** After the Prior Year Tax Rates were Set. (Tax Rate Form B, Line 16 if a Different Purpose)
Adjusted to provide the revenue available if applied to the prior year assessed value and increased by the percentage of CPI.

CERTIFICATION

I, the undersigned, _____ (Office) of _____ (Political Subdivision) levying a rate in _____ (County or Counties) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best of my knowledge and belief.

Please complete Line G through BB, sign this form, and return to the County Clerk(s) for final certification.

(Date)	(Signature)	(Print Name)	(Telephone)
Proposed rate to be entered on tax books by County Clerk			
Based on Certification from the Political Subdivision:			
Section 137.073.7 RSMo, states that no tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of the section.	Lines:	J	_____
		AA	_____
		BB	_____
(Date)	(County Clerk's Signature)	(County)	(Telephone)