

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

PROPOSED AMENDMENT

13 CSR 15-4.240 Nutrition Service Requirements. The Division of Aging is amending sections (6) and (11).

PURPOSE: This amendment will alleviate the burden of repetitious paperwork for service recipients whose health status is chronic but stable, and will assure the safety of persons who receive congregate and/or home-delivered meals when a food-borne illness is suspected.

(6) Eligibility of individuals to receive nutrition services shall be determined as follows:

(B) Any person aged sixty (60) years or over who is homebound by reason of illness, incapacitating disability or is otherwise isolated shall be determined eligible for home-delivered nutrition services. Occasional escorted trips from the home for medical or other necessary services will not affect the individual's eligibility for home-delivered meals. The following conditions shall be met:

1. The area agency shall require *[each service provider to assess/ an assessment of]* the individual's eligibility for home-delivered nutrition services prior to initiation of the service and assess the individual's need for *[continuing the service at least each six (6) months] continued service at least annually* after that. In emergency situations, home-delivered meals may be delivered for a maximum of five (5) days prior to the initial assessment of eligibility; and

2. The area agency shall develop written criteria by which to determine if the spouse **and**/or primary caregiver who resides in the home, regardless of **their** age or condition of the spouse, may receive a home-delivered meal. The criteria developed shall assure that the receipt of the meal by the spouse **and**/or caregiver is in the best interest of the homebound older person;

(C) *[Handicapped or disabled individuals] Persons with disabilities* under sixty (60) years of age who reside in housing facilities occupied primarily by the elderly at which congregate nutrition services are provided may receive congregate nutrition services. Any person meeting these requirements also may be eligible to receive home-delivered nutrition services provided the procedures of paragraph (6)(B)2. are followed; and

(D) Under the Social Services Block Grant (SSBG), *[handicapped or disabled adults] persons with disabilities* under sixty (60) years of age who do not reside in housing facilities occupied primarily by the elderly may be eligible to receive congregate nutrition services. Any person meeting these requirements also may be eligible to receive home-delivered nutrition services under SSBG provided procedures in paragraph (6)(B)2. are followed.

(11) The area agency shall report the occurrence or suspicion of a food-borne illness to the appropriate health authorities and the division *[according to procedures established by the division]*. **The area agency shall cooperate with health authorities and keep the division informed of the investigation status as well as provide notice of resolution.**

AUTHORITY: section 660.050, RSMo [Supp. 1990] Supp. 1999. This rule was previously filed as 13 CSR 15-6.145. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Feb. 17, 1988, effective June 15, 1988. Amended: Filed June 3, 1991, effective Oct. 31, 1991. Amended: Filed May 12, 2000.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Aging, Richard C. Dunn, Director, P.O. Box 1337, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 7—Service Standards**

PROPOSED AMENDMENT

13 CSR 15-7.005 Definitions. The Division of Aging is amending sections (1), (3), (11) and (15); deleting section (2) renumbering sections (3)-(12); and adding a new section (12).

PURPOSE: This amendment corrects terminology to agree with federal program title guidelines and clarifies the designation of home and community based services.

(1) Access services—A category of services which facilitates access to and utilization of other services. Access services may include transportation, outreach, *[care coordination]* **case management**, and information and *[referral]* **assistance**.

[(2) Alternative services—Services offered to the elderly in a noninstitutional setting.]

[(3)](2) [Care coordination] Case management—A service which ensures that individuals with chronic or acute care needs are assessed and provided with a comprehensive and coordinated service program designed to meet those assessed needs.

[(4)](3) Caterer—A restaurant, hospital, school or commercial organization which prepares meals under contract (usually a fixed price per meal contract).

[(5)](4) Center—Any facility regardless of terminology used, that is, senior center, congregate nutrition center, nutrition site, supportive services center, satellite center or site or multipurpose senior center, that is utilized to provide one (1) or more services to older persons.

[(6)](5) Congregate nutrition services—The provision of nutrition services to older persons in an approved center.

[(7)](6) Contributions—Money or food stamps (for meals only) given voluntarily and confidentially toward the cost of a service received.

[(8)](7) Division—The Division of Aging of the Missouri Department of Social Services.

[(9)](8) Economic need, greatest—The need resulting from an income level at or below the poverty threshold established by the Office of Management and Budget.

[(10)](9) Escort—A person designated by the service provider, or the recipient, who gives physical assistance to service recipients with functional impairments.

[(11)](10) Follow-up—[Recontracting] Recontacting the inquirer or agency/organization to whom the referral was made to assure if contact was made or if further services are required.

[(12)] (11) Frail elderly—Older persons having a physical or mental disability, including having Alzheimer's disease or a related disorder with neurological or organic brain dysfunction, that restricts the ability of the individual to perform normal daily tasks or which threatens the capacity of the individual to live independently.

(12) Home and community services—Services offered to eligible adults in a non-institutional setting.

(15) Information and *[referral]* assistance—Providing a prompt, accurate and pertinent response to an inquiry, which may include directing the person to the appropriate resource.

AUTHORITY: section 660.050, RSMo [1994] Supp. 1999. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Feb. 17, 1988, effective June 15, 1988. Amended: Filed June 3, 1991, effective Oct. 31, 1991. Amended: Filed May 12, 2000.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Aging, Richard C. Dunn, Director, P.O. Box 1337, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 7—Service Standards**

PROPOSED AMENDMENT

13 CSR 15-7.060 Nutrition Service Standards. The Division of Aging is amending sections (4), (6), (7), (8), (9), (10), (13), (14) and (15). The division is also deleting two of the three forms (Division of Aging Menu Plan and Menu Substitutions for Special Diets) which appear at the end of the rule.

PURPOSE: This amendment is necessary to ensure the safety of frail elderly persons by requiring safe food temperatures, adequate nutritional content of meals, and documentation of various food service issues where appropriate. It will also alleviate the burden of repetitious paperwork for recipients with chronic, but stable, health concerns.

(4) Recordkeeping. The following additional records shall be maintained by nutrition service providers:

(A) Daily record *[of signatures of nutrition service recipients.]* documenting persons who receive meals, both congregate and home-delivered, following a method developed by the area agency and approved by the division;

[1. The nutrition provider shall maintain the congregate service sign-in sheet in a convenient location to assure that each service recipient signs for each meal.]

[2. The nutrition provider shall assure that home-delivered meals are signed for daily by the service recipient.]

[3. If the service recipient cannot or will not sign his/her name, the recipient's representative or another individual designated by the senior center administrator shall sign the service recipient's name as well as his/her name.

Service recipient records shall document why the recipient will not or cannot sign;]

(6) Equipment Requirements.

(A) Whether the senior center is catered or has an on-site food preparation kitchen, adequate equipment shall be available to keep refrigerated foods below forty-*[five]* one degrees Fahrenheit (*[45]* 41°F), heated foods above one hundred forty degrees Fahrenheit (140°F) and frozen foods at or below zero degrees Fahrenheit (0°F).

(7) Menu Planning Requirements.

(A) *[Each meal served shall contain at least one-third (1/3) of the current recommended dietary allowances (RDA) as established by the Food and Nutrition Board of the National Academy of Sciences—National Research Council.]* If one (1) meal per day is served, it shall contain a minimum thirty-three and one-third percent (33 1/3%) of the daily Recommended Dietary Allowance (RDA) as established by the Food and Nutrition Board of the National Research Council of the National Academy of Sciences. A minimum of sixty-six and two-thirds percent (66 2/3%) of the RDA shall be provided if two (2) meals are served, and one hundred percent (100%) of the RDA shall be provided if three (3) meals are served.

(B) A twenty to twenty-eight (20-*[28]*-*[/]*) day menu cycle shall be developed to be repeated for a three (3)-*[/]* month period *[using the official menu form provided by the division]*. Suggestions from service recipients shall be solicited regarding menu choices.

(F) Menus shall conform to the meal patterns and principles of menu planning provided by the division. **Refer to menu plan at the end of this rule which is incorporated by reference.**

(8) Special menu requirements are as follows:

(F) A diet prescription *[shall]* may be obtained for persons receiving home-delivered special meals. *[The]* Any prescription on file shall be kept current and shall be reviewed at least annually with the service recipient's physician;

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

(A) A two (2) ounce separate sample *[portion]* of each potentially hazardous food item served shall be refrigerated and kept at least seventy-two (72) hours. *[It]* Sample(s) shall be available for analysis by the Department of Health if a food-borne illness is suspected;

(B) Potentially hazardous food which has been held at one hundred forty degrees Fahrenheit (140°F) or higher over four (4) hours or between forty-*[five]* one degrees and one hundred forty degrees Fahrenheit (*[45]* 41°*[F]*-140°F) for two (2) hours and any prepared food that has lost its quality shall not be served and shall be destroyed;

(D) The proper equipment shall be used to maintain hot foods at or above one hundred forty degrees Fahrenheit (140°F) and cold foods at or below forty-*[five]* one degrees Fahrenheit (*[45]* 41°F) while serving. Hot and cold food temperatures shall be checked immediately prior to service and recorded *[at least twice a week]* daily. Records must be kept for six (6) months at the center;

(E) When cooling, food shall be placed no more than two inches (2") deep in a container, covered and immediately placed in the refrigerator or freezer so it will cool to forty-*[five]* one degrees Fahrenheit (*[45]* 41°F) or below as rapidly as possible. Once food is cooled to forty-*[five]* one degrees Fahrenheit (*[45]* 41°F) or below, it may be stored in a container more than two inches (2") deep;

(F) When transporting prepared foods, the following procedures shall be used:

1. Hot food shall be delivered within three and one-half (3 1/2) hours following end preparation time. This limit includes the time required for packaging foods by the caterer, transporting to the centers, holding time at the center, packaging meals for home-delivered meal recipients and transporting meals to the home; and

2. Hot foods delivered to the center shall be at a minimum temperature of one hundred forty degrees Fahrenheit (140°F) and cold foods shall be at a maximum temperature of forty-~~five~~ **one** degrees Fahrenheit (~~45~~ **41**°F). A daily record of the delivery time and temperature of the food when received shall be kept at each center. Records must be kept for six **(6)** months at the center;

(10) Food Storage Requirements for All Foods, Including USDA Commodities.

(D) All refrigerated foods shall be maintained at **or** below forty-~~five~~ **one** degrees Fahrenheit (~~45~~ **41**°F);

(13) Nutrition service providers shall—

(B) Coordinate activities with the Missouri Division of Family Services to facilitate participation of eligible persons in the Food Stamp Program and assist service recipients in taking advantage of the benefits available to them under the Food Stamp Program. All centers ~~[shall]~~ **may** be authorized to accept food stamps; and

(14) Senior Centers.

(C) Each senior center shall provide—

1. Services to older persons at least five (5) days per week with sufficient hours to meet community needs. *If open less than six (6) hours per day, the division shall be informed of the hours of operation and the reason(s) fewer hours are justified*];

2. Hot or other appropriate meals at least once a day, five (5) or more days a week;

3. At a minimum, an average of fifty (50) meals a day at **each senior center cooking on-site**;

4. A variety of supportive services;

5. An information area with a bulletin board, display rack or other method of posting information which is easily accessible and well-lighted. Notices should be attractive, easy to read and placed within eye level;

6. An easy-to-read posted monthly activities calendar in area which is highly visible and accessible to service recipients; and

7. A posted, attractive, easy-to-read, weekly menu in a conspicuous location **in** the dining room on Friday of the week prior to service. *[The certified menu on the official menu form shall be posted in the kitchen.]*

(15) Home-delivered meals service providers shall—

(C) Assess and document **an** individual's eligibility to receive home-delivered meals prior to initiation of the service and reassess the need for ~~[continuing the]~~ **continued** services at least ~~[each six (6) months after that]~~ **annually**. **A shorter eligibility period may be appropriate in certain circumstances, such as persons with short-term needs after illness or surgery.**

1. When referrals are received from the division, the division's assessment and reassessment of the service recipient will be sufficient documentation of eligibility. The service recipient's assessment card shall document that referral was received from the division and an assessment made by the division established eligibility for the home-delivered meal. The senior center shall then complete the forms necessary to obtain required client status information as defined by the area agency.

2. In emergency situations, home-delivered meals may be delivered for a maximum of five (5) days prior to the initial assessment of eligibility;

(E) Use insulated carriers to assure that foods delivered to home-delivered meal recipients are at the proper temperature, over one hundred forty degrees Fahrenheit (140°F) for hot food and

under forty-~~five~~ **one** degrees Fahrenheit (~~45~~ **41**°F) for cold food. Check and record the temperature of hot and cold food items delivered to the last recipient on each home-delivered meal route at least quarterly. All equipment used in transporting foods shall have smooth cleanable surfaces, be cleaned and sanitized daily or be disposable;

(F) Deliver hot foods to the service recipient within three and one-half (3 1/2) hours following end preparation time~~;~~, **and record time home-delivered meal route was started and time last meal was delivered at least quarterly for each route**;

AUTHORITY: section 660.050, RSMo [1994] Supp. 1999. This rule was previously filed as 13 CSR 15-6.155. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Feb. 17, 1988, effective June 15, 1988. Amended: Filed June 3, 1991, effective Oct. 31, 1991. Amended: Filed Nov. 14, 1991, effective March 9, 1992. Amended: Filed May 12, 2000.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Aging, Richard C. Dunn, Director, P.O. Box 1337, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—Division of Medical Services Chapter 4—Conditions of Recipient Participation, Rights and Responsibilities

PROPOSED AMENDMENT

13 CSR 70-4.051 Copayment for Pharmacy Services. The division proposes to amend subsection (2)(A).

PURPOSE: This rule is being amended to exempt 18-year-old recipients of medical assistance from the copayment requirement for drugs to conform with the terms and conditions of Missouri's federal Medicaid section III5 Health Care Reform Demonstration.

(2) Services exempted from the copayment requirement for drugs are—

(A) Services to recipients under ~~[eighteen (18)]~~ **nineteen (19)** years of age;

AUTHORITY: sections [207.020] 208.152, 208.153 and [208.159] 208.201, RSMo [1986] 1994. This rule was previously filed as 13 CSR 40-81.055. Original filed April 14, 1982, effective July 11, 1982. Amended: Filed Oct. 13, 1983, effective Jan. 13, 1984. Amended: Filed May 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate. Should any future change result in costs greater than \$500, a revised fiscal note will be filed with the secretary of state.

PRIVATE COST: This proposed amendment will not cost private entities greater than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Division of Medical Services,

Director of Medicaid, 615 Howerton Court, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 40—State Auditor
Chapter 2—Rules Applying to State Agencies

PROPOSED AMENDMENT

15 CSR 40-2.031 Control of Fixed Assets. The state auditor is amending sections (1), (3), (4) and (7) and renumbering remaining sections.

PURPOSE: This amendment changes the threshold amounts for fixed asset items that need to be accounted for by state agencies as fixed assets. Other changes are made to clarify requirements. The state auditor has the authority to establish rules for the control of fixed assets by state agencies. This rule establishes the criteria for determining the property which must be controlled and the data which must be documented for each property item.

(1) Definitions.

(B) Fixed assets mean tangible real or personal property, with a useful life of *[more than one (1) year, obtained or controlled by a department as a result of past transactions, events or circumstances]* at least two (2) years. Fixed assets include land, land improvements, buildings, equipment, *[improvements or]* and additions and betterments to property *[, and major repairs to property which extend useful life or increase efficiency]*.

(C) *[Acquisition cost includes the purchase price, engineering charges, freight installation charges, site preparation and any other charges directly related to placing the item into service.]* The cost of a fixed asset item means the purchase price or construction cost, plus any ancillary charges necessary to place the asset in its intended location and condition for use. Ancillary charges include costs such as freight and transportation charges, site preparation expenditures, professional fees, and legal claims directly attributable to asset acquisition.

(3) All fixed assets *[obtained or controlled]* acquired by a department, whether *[obtained]* by purchase, construction, lease-purchase, donation or other means, are to be used for state business and not for personal benefit.

(4) *[However, only those]* Those items with a cost (or estimated fair value if actual cost is not available), *[of two hundred fifty dollars (\$250) at the time of acquisition and an estimated useful life of more than one (1) year]* over the following threshold amounts are required to be accounted for as fixed assets under this rule~~].~~:

(A) Land—all parcels of land (no threshold amount).

(B) Land improvements—fifteen thousand dollars (\$15,000) or more.

(C) Buildings—fifteen thousand dollars (\$15,000) or more.

(D) Equipment—one thousand dollars (\$1,000) or more.

(E) Additions or betterments to buildings—fifteen thousand dollars (\$15,000) or more.

(F) Additions or betterments to equipment—one thousand dollars (\$1,000) or more.

(5) If more than one (1) set of fixed asset requirements apply (for example, federal grant requirements) the more stringent set of requirements shall apply.

[(4)] (6) Each department shall ensure that controls are adequate over property items, with a cost under *[two hundred fifty dollars (\$250)]* the threshold amounts, that are considered attractive or easily pilfered. These sensitive items may include: audiovisual equipment, calculators, computers and accessories, dictating equipment, television sets, recorders and power tools. Each department shall identify its sensitive items, implement appropriate procedures for adequate control and perform annual inventories. The preferred method is to include these sensitive items on the fixed asset control system. Regardless of the method used, adequate accountability shall be provided. Property items under *[two hundred fifty dollars (\$250)]* the threshold amounts that are not considered sensitive should have a tag designating ownership (for example, "Property of Missouri State Highway Patrol") affixed to the item in a prominent location.

[(5)] (7) Each fixed asset item shall be identified by a sequential numbering system including a numbered tag or reasonable substitute physically attached to the item. If it is not possible to attach a tag (for instance, to land), a number shall be assigned to the item for control and identification purposes.

[(6)] (8) Each department shall keep fixed asset control records. These records shall be maintained by fund of acquisition and asset classification and shall contain the following data for each item: identification number; description of the item to include name, make, model and serial number, where appropriate; acquisition cost; date of acquisition *[if applicable]*; estimated useful life at date of acquisition; physical location in sufficient detail to readily locate the item; and method and date of disposition.

[(7)] (9) Each department shall perform an annual physical inventory of all fixed assets in its possession and reconcile this inventory with the fixed asset control records and with the prior annual physical inventory, accounting for all acquisitions and dispositions in the interim. Each department shall annually prepare a statement of changes in fixed assets to summarize the transactions occurring during the fiscal year.

AUTHORITY: section 34.125, RSMo [1986] Supp. 1999. Original rule filed Jan. 16, 1978, effective April 13, 1978. Amended: Filed Aug. 16, 1979, effective Nov. 12, 1979. Amended: Filed Sept. 14, 1989, effective July 1, 1990. Amended: Filed May 4, 2000.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the State Auditor, Claire McCaskill, P.O. Box 869, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.