

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

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

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 1—Organization**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 196-1.020 Landscape Architectural Council—General Organization is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1691). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 19—Landscape Architectural Council
Chapter 2—Applications**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-2.010 Filing Deadline for Examination and Registration is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1691). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 2—Applications**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.615, RSMo 1994, the board amends a rule as follows:

4 CSR 196-2.020 Submitting an Application is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1691-1692). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.607 and 327.617, RSMo 1994 and 327.609, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 196-5.010 Uniform National Examinations and Plant Material Examination—Adoption and Admission is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1692). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-5.020 Senior Landscape Architect's Examination is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1692-1693). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-5.030 Uniform National Examination—Passing Score is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1693). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 6—Fees**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.625, RSMo 1994, the board amends a rule as follows:

4 CSR 196-6.010 Application, Registration, Renewal, Reinstatement and Miscellaneous Fees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1693). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 7—Complaints and Correspondence**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.631, RSMo 1994, the board amends a rule as follows:

4 CSR 196-7.010 Handling Public Complaints and Routine Matters is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1694). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 8—Council Seal**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-8.010 Official Seal of the Council is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1694). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 10—Corporations, Partnerships, Associations,
and Limited Liability Companies**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.630, RSMo 1994, the board amends a rule as follows:

4 CSR 196-10.010 Application for Registration of Business Associations is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1694-1695). No changes have been made to the text of the proposed amendment, so it is not reprinted here.

This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 200—State Board of Nursing
Chapter 4—General Rules
ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.046, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 200-4.010 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1695–1696). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements
ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Occupational Therapy under sections 324.050, 324.056, 324.065, 324.068, 324.077, 324.083 and 324.086, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 205-3.030 Application for Limited Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1697). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements
ORDER OF RULEMAKING**

By the authority vested in the Missouri Board of Occupational Therapy under sections 324.050, 324.056, 324.065, 324.068, 324.080, 324.083, 324.086 and 620.010.14, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 205-3.040 License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July

3, 2000 (25 MoReg 1697). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 235—State Committee of Psychologists
Chapter 2—Licensure Requirements
ORDER OF RULEMAKING**

By the authority vested in the State Committee of Psychologists under sections 337.025, 337.033 and 337.050.9, RSMo Supp. 1999, the board amends a rule as follows:

**4 CSR 235-2.005 Education Requirements, Section 337.025,
RSMo is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1697). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program
ORDER OF RULEMAKING**

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.010 General Information is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1562–1563). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program
ORDER OF RULEMAKING**

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.011 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1563-1564). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.020 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1564-1565). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.021 General Information is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1565-1569). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

**7 CSR 10-8.030 Procedures for Certifying Disadvantaged
Business Enterprises is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1570). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

**7 CSR 10-8.031 Who Is Governed and Bound by the USDOT
and MoDOT DBE Program Regulations is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1570-1573). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150 RSMo 1994, the commission rescinds a rule as follows:

**7 CSR 10-8.040 Procedures for Certification Renewal of
Disadvantaged Business Enterprises is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1574). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.041 Effective Date of the DBE Program Under 49 CFR Part 26 is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1574). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150 RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.050 Challenge Procedures for Disadvantaged Business Enterprises is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1574-1575). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.051 Procedures and Policies for Initially Certifying and Recertifying Disadvantaged Business Enterprise Firms is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1575-1581). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.060 Requirements to Participate in a Mentor-Protege Agreement is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1582). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.061 Missouri Unified Certification Program is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1582-1583). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.070 Decertification Procedures for Disadvantaged Business Enterprises is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1584). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.071 DBE Program Reporting and Disclosure Requirements for Currently Certified DBE Firms **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1584–1587). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.080 Determination and Review Procedures Governing the Failure to Perform a Commercially Useful Function **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1588). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.081 Ineligibility Complaints **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1588–1590). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed

rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.090 Finality of Department Determinations in the Disadvantaged Business Enterprise Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1591). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.091 MoDOT Procedures and Hearings to Remove a Firm's DBE Eligibility **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1591–1596). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.101 The Effect of a USDOT Certification Appeal **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1597). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.111 Prompt Payment, Record Keeping and Audit Requirements **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1597–1599). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.121 MoDOT DBE Program Annual Goals and Contract Goals **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1600–1602). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.131 DBE Participation Credit Toward Project or Contract Goals **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1603–1605). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.141 USDOT-Assisted DBE Contract Awards and Good Faith Efforts **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1606–1609). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Highways and Transportation Commission received one comment on this proposed rule.

COMMENT: The Associated General Contractors of Missouri, Inc. submitted a letter stating that it objects to the change requiring a prime contractor submit the DBE participation form with the bid submission and that the previous three (3) day grace period had no negative impact on DBE firms. The comment states that this change is unnecessary.

RESPONSE: The commission has considered this comment and has decided to make no changes. The commission, in accord with the spirit and intent of the United States Department of Transportation's DBE rules, has elected to eliminate the post-bid submission of the list of each contractor's proposed DBE subcontractors, to minimize post-bidding contractor bid-shopping negotiations (which work to the financial disadvantage of DBE firms and other small contracting firms).

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.151 Performance of a Commercially Useful Function by a DBE Firm **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1610-1613). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.161 Confidentiality of DBE Program Financial and Other Information **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1614). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.200 Disadvantaged Business Enterprise Set-Aside Program General Information **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1614-1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.210 Definitions **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.220 Eligibility for Participation in the Commission's DBE Set-Aside Program **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.230 Publication of Qualified DBEs and Joint Ventures in the DBE Directory **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1615-1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.240 Retaining Qualification to Participate in the Commission's DBE Set-Aside Program **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.250 Bidding Limitations on Qualified Firms and Joint Ventures Having Active Commission DBE Set-Aside Contracts **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.260 DBE Subcontracting Goals for the Commission's DBE Set-Aside Program Contracts **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1616-1617). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.270 Disqualification of a Firm or Joint Venture from the DBE Set-Aside Program **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1617). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.010 General Organization **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1700). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.020 Definitions **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1700). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.030 Initial Training **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1700). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.040 Exemptions and Waiver of Initial Training Requirement is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1701). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.050 Requirements for Continuing Education is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1701). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.060 Procedures for Certification of Training Providers is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1701-1702). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004 and 313.805, RSMo 1994 and 313.807, RSMo Supp. 1999, the commission adopts a rule as follows:

11 CSR 45-5.075 Payout Percentage for Progressive Table Games is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1631). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.004 Isolated or Occasional Sales is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1702-1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.005 Isolated or Occasional Sales by Businesses is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25

MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.006 Isolated or Occasional Sales vs. Doing Business—Examples **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.007 Partial Liquidation of Trade or Business **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.166 Seller of Boats **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.172 Advertising Signs **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.248 Sales to the United States Government **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.260 Nonappropriated Activities of Military Services **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.262 Government Suppliers and Contractors is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.274 Farm Machinery and Equipment is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.278 Agricultural Feed and Feed Additives is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.282 Sales of Seed, Pesticides and Fertilizers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.284 Poultry Defined is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.286 Livestock Defined is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.290 Sellers of Poultry is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.332 United States Government Suppliers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.336 Animals Purchased for Feeding or Breeding Purposes is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.590 Advertising Businesses is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706-1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.834 Titling and Sales Tax Treatment of Boats is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.850 Veterinary Transactions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.866 Bulldozers for Agricultural Use is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 4—State Use Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.705, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-4.145 Audit, No Credit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707-1708). No changes have been made in the proposed

rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 302.181, RSMo Supp. 1999, the director amends a rule as follows:

12 CSR 10-24.100 Driver License Procedures for Persons under the Age of Twenty-One is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1708). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 302.181, RSMo Supp. 1999, the director amends a rule as follows:

12 CSR 10-24.110 Procedures for Issuance of a Nondriver License is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1708-1709). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 302.181, RSMo Supp. 1999 and 302.185, RSMo 1994, the director amends a rule as follows:

12 CSR 10-24.140 Procedures for Reissuance of a Missouri Driver License or Nondriver License Not Received After Mailing by the Department is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1709). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 302.171, 302.181 and 302.765, RSMo Supp. 1999, the director rescinds a rule as follows:

12 CSR 10-24.310 Social Security Number as Drivers License Number is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1709). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 25—Motor Vehicle Financial Responsibility**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 303.290, RSMo 1994, the director amends a rule as follows:

12 CSR 10-25.030 Hearings Held Pursuant to Section 303.290.1, RSMo is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1710). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.005 Definitions for All On-Line Games is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1710-1711). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.010 On-Line Game Contract Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1711). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo 1999, the commission amends a rule as follows:

12 CSR 40-85.030 On-Line Ticket Validation Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1711). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.050 Prize Amounts for On-Line Parimutuel Games is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1712). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.060 Further Limitations on On-Line Prizes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1712). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.080 Payments of Prizes Up to \$599 Authorized is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1712-1713). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.110 Pick-3 Game is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.120 Winning Tickets in Pick-3 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.150 Breakage is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1714). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.130 Prize Amounts for Pick-3 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.160 Prize Pool for Pick-3 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1714). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.140 Drawing and Selling Times is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713-1714). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 95—Pull Tab Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.230, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-95.010 Pull Tab Game is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1714). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under sections 208.152, 208.153, and 208.201, RSMo 1994, the director hereby amends a rule as follows:

13 CSR 70-4.051 Copayment for Pharmacy Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1641-1642). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 192.006, RSMo Supp. 1999 and 192.020 and 260.203, RSMo 1994, the director amends a rule as follows:

19 CSR 20-20.010 Definitions Relating to Communicable, Environmental and Occupational Diseases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1726-1727). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 192.006, RSMo Supp. 1999 and 192.020, 192.139, 210.040 and 210.050, RSMo 1994, the director amends a rule as follows:

19 CSR 20-20.020 Reporting Communicable, Environmental and Occupational Diseases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1727-1737). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 192.006, RSMo Supp. 1999 and 192.020, RSMo 1994, the director adopts a rule as follows:

19 CSR 20-20.080 Duties of Laboratories is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1738-1752). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received from the Missouri State Medical Association.

COMMENT: The Missouri State Medical Association contends that the requirement for diagnostic laboratories to submit isolates or specimens for specified diseases or conditions to the State Public Health Laboratory is burdensome, costly, and that it creates the impression that these laboratories are not to be trusted with test results.

RESPONSE: The Department has considered this public comment but has decided to proceed with the implementation of the rule as proposed because (1) although the Department trusts these laboratories with test results, the State Public Health Laboratory needs isolates and specimens to perform additional, more specific tests (e.g., biotyping, serotyping, pulsed-field gel electrophoresis, speciation); such "fingerprinting" allows epidemiologists to link cases that are scattered among persons, places, and times, and (2) transportation and testing costs, which comprise about 95% of the total cost of this requirement, will be borne by the State Public Health Laboratory.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Health under section 199.350, RSMo 1994, the director amends a rule as follows:

19 CSR 20-20.100 Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 17, 2000 (25 MoReg 1842-1846). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 26—Sexually Transmitted Diseases**

to HIV testing, unless otherwise permitted by law. A plan to receive test results shall be established with the person.

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 191.653, 191.656 and 192.006, RSMo Supp. 1999 and 192.020, RSMo 1994, the director amends a rule as follows:

19 CSR 20-26.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1753-1754). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department received two letters of comment from the Missouri State Medical Association.

COMMENT: The Missouri State Medical Association contends that in Section (2)(D) the Department is encroaching upon subject matter discussed between physician and patient by requiring that the "client-centered" approach as outlined by the Centers for Disease Control and Prevention be used for pre- and posttest counseling.

RESPONSE: Physicians are specifically excluded from the requirements of 19 CSR 20-26.030 in section (1)(B) of the rule. The Department has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri State Medical Association contends that in Section (2)(A) the Department is creating a new requirement whereby informed consent shall be obtained from the person prior to HIV testing, and that the Department does not have the statutory authority to promulgate such a requirement.

RESPONSE AND EXPLANATION OF CHANGE: The Department believes that this requirement already exists in most testing situations. However, in order to clarify that testing may be done without consent where authorized by law, section (2)(A) will be amended.

EXPLANATION OF OTHER CHANGES: Form #1 which is incorporated by reference in sections (2)(C) and (D) of this rule has been changed to reflect the amended reporting requirements contained in 19 CSR 20-20.020 and 19 CSR 20-20.080.

19 CSR 20-26.030 Human Immunodeficiency Virus (HIV) Test Consultation and Reporting

(2) Except as provided by 19 CSR 20-26.040, a person performing HIV sampling and pre- and posttest counseling services shall be a health care professional or other public health professional authorized by the Department of Health to provide these services and shall provide current and accurate HIV education and testing information in person to the person tested or his or her legal guardian or custodian. If, after investigation by a department employee, the person responsible for providing pre- and posttest counseling services is determined not to be observing the provisions of this rule, the department shall deny authorization.

(A) Pretest client-centered counseling shall occur before HIV sampling and include a knowledge and risk assessment of the person to be tested to determine the person's potential for exposure and infection. The person to be tested shall be asked about his/her basic HIV knowledge, and if such knowledge is lacking, advised of the means of HIV transmission and the meaning of the test results. Informed consent shall be obtained from the person prior

PHYSICIAN'S CONFIDENTIAL REPORT OF HIV INFECTION

PATIENT INFORMATION		PATIENT HISTORY	
1. PATIENT ID NUMBER (FROM LAB SLIP)		15. AFTER 1977, THIS PATIENT HAD: (CHECK ALL THAT APPLY)	
2. PATIENT NAME: (LAST, FIRST, MI)		Y N <input type="checkbox"/> <input type="checkbox"/> Sex With Male <input type="checkbox"/> <input type="checkbox"/> Sex With Female <input type="checkbox"/> <input type="checkbox"/> Injected Non-Prescription Drugs <input type="checkbox"/> <input type="checkbox"/> Received Clotting Factor <input type="checkbox"/> VIII <input type="checkbox"/> IX <input type="checkbox"/> Other: _____ <input type="checkbox"/> <input type="checkbox"/> Blood Transfusion: First _____ / _____ Last _____ / _____ <input type="checkbox"/> <input type="checkbox"/> Worked In Health Care Setting: Occupation: _____ <input type="checkbox"/> <input type="checkbox"/> Recipient Of Tissue/Organs/Artificial Insemination Date: _____ / _____	
3. ADDRESS: (STREET, APT. #, P.O. BOX NO.)		HETEROSEXUAL RELATIONS WITH: <input type="checkbox"/> <input type="checkbox"/> Injection Drug User <input type="checkbox"/> <input type="checkbox"/> Bisexual Male <input type="checkbox"/> <input type="checkbox"/> Person With Hemophilia/Coagulation Disorder <input type="checkbox"/> <input type="checkbox"/> Transfusion/Transplant Recipient With Documented HIV Infection <input type="checkbox"/> <input type="checkbox"/> Person With AIDS/HIV Infection Whose Risk Is Not Known	
CITY, STATE, ZIP CODE:		16. FOR PEDIATRIC/PERINATAL CASES	
COUNTY	4. TELEPHONE: () _____	<input checked="" type="checkbox"/> <input type="checkbox"/> IF < 13 YEARS OF AGE, MOTHER WITH HIV/AIDS? If Yes, Mother's Name: _____ Mother's DOB: _____ / _____ / _____ If Newborn, Date Anti-Retroviral Therapy for HIV Prevention Began: _____ / _____ / _____	
5. SS #	5. DCN #	Number of Live-Born Infants Delivered in the Last 18 Months: _____ Provide Birth Information for Most Recent Birth(s): DOB: _____ / _____ / _____ Birth Hospital: _____ Breastfed <input checked="" type="checkbox"/> <input type="checkbox"/> DOB: _____ / _____ / _____ Birth Hospital: _____ Breastfed <input checked="" type="checkbox"/> <input type="checkbox"/>	
7. DATE OF BIRTH	8. AGE	17. FOR ADULT FEMALES Hepatitis B: HBsAg <input type="checkbox"/> Pos <input type="checkbox"/> Neg <input checked="" type="checkbox"/> <input type="checkbox"/> Patient is Currently Pregnant EDC: _____ / _____ / _____ If Yes, Week of Pregnancy Antiretroviral Therapy Began: _____ <input type="checkbox"/> ZDV (AZT) <input type="checkbox"/> Other: _____	
9. MARITAL STATUS	10. SEX	18. CURRENT HIV TEST(S)	
11. RACE <input type="checkbox"/> White <input type="checkbox"/> Asian/Pacific Is. <input type="checkbox"/> Am Indian/AK Native <input type="checkbox"/> Black <input type="checkbox"/> Other: _____	12. Hispanic Ethnicity <input type="checkbox"/> Yes <input type="checkbox"/> No	19. TESTING LABORATORY NAME(S), ADDRESS(ES), TELEPHONE NUMBER(S):	
13. VITAL STATUS <input checked="" type="checkbox"/> Living <input type="checkbox"/> Deceased - Date of Death: _____ / _____ / _____	14. COUNTRY OF BIRTH <input type="checkbox"/> U.S. <input type="checkbox"/> Other: _____ <input type="checkbox"/> Unknown	20. IF HIV TESTS ARE NOT DOCUMENTED, IS HIV DIAGNOSED BY A PHYSICIAN? <input checked="" type="checkbox"/> <input type="checkbox"/> If Yes, Diagnosis Date: _____ / _____ / _____ Provider: _____ City/State: _____	
17. FOR ADULT FEMALES Hepatitis B: HBsAg <input type="checkbox"/> Pos <input type="checkbox"/> Neg <input checked="" type="checkbox"/> <input type="checkbox"/> Patient is Currently Pregnant EDC: _____ / _____ / _____ If Yes, Week of Pregnancy Antiretroviral Therapy Began: _____ <input type="checkbox"/> ZDV (AZT) <input type="checkbox"/> Other: _____		21. <input checked="" type="checkbox"/> <input type="checkbox"/> Patient is Past or Present HIV Vaccine Trial Participant	
MO 580 1641 (7-00)		(CONTINUED)	
		SHIP-22	

LABORATORY DATA	
18. CURRENT HIV TEST(S)	
HIV Antibody Tests:	TEST DATE MM/DD/YY
HIV-1 EIA <input type="checkbox"/> Pos <input type="checkbox"/> Neg <input type="checkbox"/> Incon-clusive <input type="checkbox"/> Not Done	_____ / _____ / _____
HIV-1 Western Blot/IFA <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____ / _____
HIV-1/HIV-2 Combination EIA <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____ / _____
Other: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____ / _____
HIV Antibody Test Specimen Was: <input type="checkbox"/> Serum <input type="checkbox"/> Oral Fluid <input type="checkbox"/> Urine <input type="checkbox"/> Other: _____	
HIV Detection Tests:	TEST DATE MM/DD/YY
PCR, DNA or RNA Probc <input type="checkbox"/> Pos <input type="checkbox"/> Neg <input type="checkbox"/> Incon-clusive <input type="checkbox"/> Not Done	_____ / _____ / _____
Culture <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____ / _____
Antigen Test <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____ / _____
Other: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____ / _____ / _____
HIV VIRAL LOAD TESTING: (Record most recent testing)	TEST DATE MM/DD/YY
<input type="checkbox"/> Detectable <input type="checkbox"/> Non Detectable	_____ / _____ / _____
Test: Type* _____ Copies/m _____	
Type 11. NASBA (Organon) 12. RT-PCR (Roche) 13. bDNA (Chiron) 18. Other 19. Unspecified	
19. TESTING LABORATORY NAME(S), ADDRESS(ES), TELEPHONE NUMBER(S):	
20. IF HIV TESTS ARE NOT DOCUMENTED, IS HIV DIAGNOSED BY A PHYSICIAN? <input checked="" type="checkbox"/> <input type="checkbox"/> If Yes, Diagnosis Date: _____ / _____ / _____ Provider: _____ City/State: _____	
21. <input checked="" type="checkbox"/> <input type="checkbox"/> Patient is Past or Present HIV Vaccine Trial Participant	
22. PREVIOUS HIV TEST? <input checked="" type="checkbox"/> <input type="checkbox"/> If Yes, Most Recent Result: <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Type of Test: <input type="checkbox"/> Antibody <input type="checkbox"/> Antigen <input type="checkbox"/> PCR <input type="checkbox"/> Culture <input type="checkbox"/> Qualitative PCR <input type="checkbox"/> Quantitative PCR (VL) <input type="checkbox"/> Other (specify) _____ Test Date: _____ / _____ / _____ Provider: _____ City/State: _____ If Previously Tested, Reason for Retest: <input type="checkbox"/> Case Management Eligibility <input type="checkbox"/> Medicaid/Medicare Eligibility <input type="checkbox"/> High Risk Negative <input type="checkbox"/> Client Request <input type="checkbox"/> Confirm Diagnosis <input type="checkbox"/> Other: _____	
23. CD4+ LYMPHOCYTE COUNT: TEST DATE MO/YR	
Most Recent CD4+ Count [] [] [] [] cells/µL _____ / _____	
CD4+ Percent [] [] [] % _____ / _____	
First CD4+below 200µL or 14% [] [] [] [] cells/µL _____ / _____ (If Known) [] [] [] % _____ / _____	
MO 580-1641 (7-00)	
SHIP 22	

CLINICAL STATUS																																																																																																																									
<p>24. <input checked="" type="checkbox"/> <input type="checkbox"/> PATIENT MEDICALLY EVALUATED? If Yes, Check All That Apply</p> <p><input type="checkbox"/> Asymptomatic</p> <p><input type="checkbox"/> Symptomatic, No History of AIDS-Defining Illness</p> <p><input type="checkbox"/> CD4+ is now or has been <200/14%</p> <p><input type="checkbox"/> Symptomatic, AIDS-Defining Illness Diagnosed</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 5%; text-align: center;">Def.</th> <th style="width: 5%; text-align: center;">Pres.</th> <th style="width: 10%; text-align: center;">Mo/Yr</th> </tr> </thead> <tbody> <tr><td><input type="checkbox"/> Candidiasis, oropharynx, trachea, lungs</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Candidiasis, esophageal</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Carcinoma, invasive cervical</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Coccidioidomycosis, disseminated or extrapulmonary</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Cryptococcosis, extrapulmonary</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Cryptosporidiosis, chronic intestinal</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Cytomegalovirus disease (other than liver, spleen, or nodes)</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Cytomegalovirus retinitis (vision loss)</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> HIV encephalopathy</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Herpes simplex: chronic ulcer(s) or bronchitis, pneumonitis, esophagitis</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Histoplasmosis, disseminated or extrapulmonary</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> <tr><td><input type="checkbox"/> Isosporiasis, chronic intestinal (>1 mo)</td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td><td style="text-align: center;">/ /</td></tr> </tbody> </table>		Def.	Pres.	Mo/Yr	<input type="checkbox"/> Candidiasis, oropharynx, trachea, lungs	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Candidiasis, esophageal	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Carcinoma, invasive cervical	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Coccidioidomycosis, disseminated or extrapulmonary	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Cryptococcosis, extrapulmonary	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Cryptosporidiosis, chronic intestinal	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Cytomegalovirus disease (other than liver, spleen, or nodes)	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Cytomegalovirus retinitis (vision loss)	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> HIV encephalopathy	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Herpes simplex: chronic ulcer(s) or bronchitis, pneumonitis, esophagitis	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Histoplasmosis, disseminated or extrapulmonary	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<input type="checkbox"/> Isosporiasis, chronic intestinal (>1 mo)	<input type="checkbox"/>	<input type="checkbox"/>	/ /	<table style="width:100%; 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25. If AIDS, Facility of Diagnosis: _____		TYPE OF FACILITY WHERE AIDS WAS DIAGNOSED: (Check One)																																																																																																																							
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Def. = definitive diagnosis Pres. = presumptive diagnosis Mo/Yr = date of initial diagnosis																																																																																																																									

MO 580-1641 (7-00)

(CONTINUED ON BACK)

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INTERVENTION/PREVENTION SERVICES	TO REFER AN HIV-INFECTED CLIENT								
<p>26. <input checked="" type="checkbox"/> <input type="checkbox"/> Patient (or Parent/Guardian) Informed of HIV Infection Status</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Physician Has Performed Spouse Notification</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Physician Requests Partner Notification Assistance</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Physician Requests Support/Referral Information Services</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Patient is Receiving Treatment for HIV/AIDS</p> <p>If Yes: <input type="checkbox"/> Antiretroviral <input type="checkbox"/> Prophylaxis</p> <p>27. PATIENT'S MEDICAL TREATMENT PRIMARILY REIMBURSED BY:</p> <table style="width:100%; border-collapse: collapse;"> <tbody> <tr> <td><input type="checkbox"/> Private Insurance, HMO</td> <td><input type="checkbox"/> Medicare</td> </tr> <tr> <td><input type="checkbox"/> Private Insurance, Non HMO</td> <td><input type="checkbox"/> Self Pay</td> </tr> <tr> <td><input type="checkbox"/> Medicaid Managed Care</td> <td><input type="checkbox"/> No Coverage</td> </tr> <tr> <td><input type="checkbox"/> Medicaid Fee-for-Service</td> <td><input type="checkbox"/> Other: _____</td> </tr> </tbody> </table> <p>28. PHYSICIAN NAME, ADDRESS, TELEPHONE:</p> <p>29. PERSON COMPLETING HIV REPORT: _____</p> <p>30. DATE: _____</p>	<input type="checkbox"/> Private Insurance, HMO	<input type="checkbox"/> Medicare	<input type="checkbox"/> Private Insurance, Non HMO	<input type="checkbox"/> Self Pay	<input type="checkbox"/> Medicaid Managed Care	<input type="checkbox"/> No Coverage	<input type="checkbox"/> Medicaid Fee-for-Service	<input type="checkbox"/> Other: _____	<p>FOR: HIV/AIDS Care Case Management Services KANSAS CITY: 816/513-6229; ST. LOUIS: 314/612-5188 Or the Missouri Department of Health (MDOH) Section of STD/HIV/AIDS Prevention & Care Services Jefferson City, MO - PH: 573/751-6439</p> <p>FOR: Public Health Counseling and Intervention Services (Partner Notification OR Level II Client*) Kansas City: 816/513-6152; St. Louis: 314/612-5200 Your Local County or District Health Office, or the MDOH Office of Surveillance, Jefferson City, MO - PH: 573/751-6148</p> <p>TO OBTAIN ADDITIONAL INFORMATION:</p> <ul style="list-style-type: none"> • HIV CLINICAL CONSULTATION SERVICE: 1-800-933-3413 • OCCUPATIONAL EXPOSURE/PHYLAXIS HOTLINE: 1-888-448-4911 • HIV/AIDS TREATMENT INFO. SERVICE: 1-800-HIV-0440 • NATIONAL AIDS HOTLINE: 1-800-342-AIDS • MO HIV/STD HOTLINE: 1-800-533-AIDS • KCMO HIV/AIDS HOTLINE: 816/513-6000 <p>(*An HIV-infected person who knowingly continues to expose others to HIV)</p>
<input type="checkbox"/> Private Insurance, HMO	<input type="checkbox"/> Medicare								
<input type="checkbox"/> Private Insurance, Non HMO	<input type="checkbox"/> Self Pay								
<input type="checkbox"/> Medicaid Managed Care	<input type="checkbox"/> No Coverage								
<input type="checkbox"/> Medicaid Fee-for-Service	<input type="checkbox"/> Other: _____								
31. COMMENTS: _____									
Health Department Use Only: Type of Report: <input type="checkbox"/> VY <input type="checkbox"/> SD									
Initial Source: _____ Report Source: _____									

To Report Confirmed HIV/AIDS Infection (within 3 Days of Diagnosis) or Obtain Additional Report Forms, Contact the Missouri Department of Health or Appropriate City Health Department (Addresses Below)

SUBMIT REPORT TO: Missouri Department of Health-GDS 930 Wildwood, P.O. Box 570 Jefferson City, MO 65102-0570 Tel: (573) 751-6463	Kansas City Health Department Suite 206, Surveillance Unit 2400 Troost Ave., Kansas City, MO 64108 Tel: (816) 513-6152	St. Louis Dept. of Health and Hospitals Surveillance Unit, Room 436 634 No. Grand Blvd., St. Louis, MO 63103 Tel: (314) 612-5188
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MO 580-1641 (7-00)

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**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 26—Sexually Transmitted Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 191.653, 191.656 and 192.006, RSMo Supp. 1999 and 192.020, RSMo 1994, the director amends a rule as follows:

19 CSR 20-26.040 Physician Human Immunodeficiency Virus (HIV) Test Consultation and Reporting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1754-1755). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 26—Sexually Transmitted Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 191.663, RSMo Supp. 1999, the director amends a rule as follows:

19 CSR 20-26.070 Notification of Results of Court-Ordered Human Immunodeficiency Virus (HIV) Testing of Sexual Offenders is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1755). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 28—Immunization**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under sections 192.006, RSMo Supp. 1999 and 210.003, RSMo 1994, the director amends a rule as follows:

19 CSR 20-28.040 Day Care Immunization Rule is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 17, 2000 (25 MoReg 1847-1850). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received from a telephone caller.

COMMENT: The caller expressed concern that the parental and medical exemptions had been deleted since they were not included in the publication of the proposed amendment.

RESPONSE: A staff member explained to the caller that only those sections of the Rule which were being amended needed to be included in the *Missouri Register*. Since there were no changes in subsections (3)(B)l. and (3)(B)2., which address the exemptions available, those subsections were not included in the publication. The caller was satisfied with the explanation. No change to the proposed amendment was necessary.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.015 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.002 Schedules of Controlled Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1233-1239). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.004 List of Excepted Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1240). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.006 List of Exempt Anabolic Steroid Products is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1240-1241). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.017, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.008 List of Excluded Veterinary Anabolic Steroid Implant Products is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1241-1242). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.010 Schedules of Controlled Substances is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1242). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.011 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1242-1243). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy commented that the terms "agent" or "practitioner's agent" are not defined anywhere in statute or regulation. They asked that it be included in this rule.

RESPONSE: The term "agent" is defined in Section 195.010 RSMo. The Department of Health has considered this comment and has decided to make no change in the rule.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.013 Miscellaneous Fees is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1243-1247). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.015 Registration Fees and Implementation of Three-Year Cycle is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1248-1250). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.017 Registration Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1251-1256). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.019 Registration Location is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1257). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.020 List of Excepted Substances is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1257). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.023 Registration Changes is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1257-1258). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.015 and 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.025 List of Exempt Anabolic Steroid Products is rescinded.

A notice of proposed rulemaking rescission containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1258). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.026 Separate Registrations is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1258-1259). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.027 Investigative and Administrative Procedures is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1259). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.030 Requirements for Controlled Substances Registration is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1259). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.031 Physical Security Requirements is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1259-1260). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.032 Security for Nonpractitioners is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1260-1263). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.033 Hearing Procedures on Controlled Substances Registration is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1264). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.034 Security for Practitioners is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1264-1271). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.035 Requirements for Prescribing, Dispensing and Administering Controlled Substances **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1272). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.036 Disposing of Unwanted Controlled Substances **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1272). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.041 Records Requirements **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1272–1277). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.042 Inventory Requirements **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1278–1283). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.044 Continuing Records General Requirements **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1284–1287). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.046 Records for Manufacturers, Distributors, Importers and Exporters **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1288–1290). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.048 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1291-1297). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy asked whether the word “practitioner” included pharmacies, and whether it is defined in statute or regulation. They commented that the word “pharmacy” should be added to the title if the word “practitioner” does not include pharmacies, and also that the definition of “practitioner” be added to 19 CSR 30-1.011 if it means something different than “individual practitioner” unless defined elsewhere.

RESPONSE: The term “practitioner” is defined in Section 195.010, RSMo and the definition of “practitioner” already includes a “pharmacy.” The Department of Health has considered this comment and decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy asked if “hospice patient” refers to any patient even if at their own home or only if within a registered institution.

RESPONSE: The term “hospice” is defined in 19 CSR 30-1.011. A patient cared for by a hospice may be in any location. The Department of Health has considered this comment and decided to make no change in the proposed rule.

COMMENT: The Missouri Board of Pharmacy asked if a Schedule II faxed prescription still includes injectable analgesics from a home infusion pharmacy as noted in 19 CSR 30-1.062(1)(A).

RESPONSE AND EXPLANATION OF CHANGE: The Department of Health has considered this comment and has decided to make a change in section (7) of the rule. This rule was not intended to prohibit the transmission of a prescription for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion by a practitioner or the practitioner’s agent to a pharmacy as permitted in 19 CSR 30-1.062 (1)(A). The words “or for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion” have been added to section (7) for clarification.

COMMENT: The Missouri Board of Pharmacy commented that the term “regular basis” in section (10) is ambiguous and too broad, and they should be specified as “weekly” or “monthly.”

RESPONSE AND EXPLANATION OF CHANGE: The term “regular basis” in section (10) is ambiguous. The Department of Health has considered this comment and has decided to make a change in section (10) in the rule to eliminate the words “on a reg-

ular basis” and to insert the words “within 30 days of filling such prescription.”

19 CSR 30-1.048 Records for Practitioners and Researchers

(7) Prescriptions which are transmitted by facsimile to a pharmacy for dispensing shall include the telephone number of the facsimile machine or computer from which it is sent and the date and time of transmission. Immediately after a Schedule III, IV or V prescription or a Schedule II prescription for a long-term care facility patient or hospice patient or for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion is transmitted to a pharmacy by facsimile equipment, the practitioner or the practitioner’s agent shall sign and date the face of the prescription. The prescriptions shall be maintained in chronological order separately from patient medical records in a manner so each prescription is readily retrievable for inspection at the transmitting practitioner’s office. In the event the facsimile is transmitted from a long-term care facility or hospital, the prescription shall be maintained at the long-term care facility or hospital in chronological order separately from the patient medical records in a manner so each prescription is readily retrievable, or maintained in the patient medical records.

(10) Each pharmacist who dispenses controlled substances under a prescription transmitted by electronic computer transmission, shall verify with the practitioner within 30 days of the filling such prescription that the prescription was authorized by the practitioner. If verification is made by telephone, the pharmacist shall document the verification on the reverse of the prescription or in the computer. If verification is made by sending the practitioner a copy of a computer printout, the practitioner shall verify, sign and return the printout to the pharmacy. The pharmacy shall maintain the verified printout in a separate file.

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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.050 Records for Chemical Analysts is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1298-1300). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.052 Records for Long-Term Care Facilities (LTCF) is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1301-1303). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy commented that the original rule included DEA 222 order forms as inappropriate to supply Schedule II drugs from a pharmacy to a long term care facility emergency kit, and that reference is absent from this proposed rule.

RESPONSE: The language from the original rule which prohibited the use of federal DEA Official Order Forms to record transfers of controlled drugs to the emergency kits of long term care facilities, is included in section (2) of this rule. The Department of Health has considered this comment and has decided to make no change in the rule.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.060 Determining Lawful Prescribing, Dispensing and Administering of Controlled Substances is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1304). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.062 Transmission of Prescriptions is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1304). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy asked if “hospice patient” in section (1)(C), refers to any patient if at their own home or only if within a registered institution.

RESPONSE: The term “hospice patient” is defined in 19 CSR 30-1.011. A patient cared for by a hospice may be in any location. The Department of Health has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy commented that the phrase “. . . reduced to writing by a pharmacist . . .” should be changed to “. . . reduced to writing by the pharmacy . . .” to allow technicians to perform this function.

RESPONSE: The Department of Health believes this language would allow a technician to perform this function. The Department has considered this comment and has decided to make no change in the rule.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.064 Partial Filling of Schedule II Prescriptions is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1304-1307). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy suggested that the words “or agent” should be added after the word “pharmacist” to the phrase, “. . . the pharmacist must contact the practitioner prior to partially filling the prescription.” in section (2).

RESPONSE: The Department of Health believes that this language would allow an agent of the pharmacist to perform this function. The Department of Health has considered this comment and has decided to make no change in the rule.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.066 Dispensing by Individual Practitioners is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1308-1312). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.068 Administering in Emergency Rooms
is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1313-1315). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.070 Emergency Dispensing of Schedule II
Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1316-1320). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.072 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1321). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy commented that the phrase “. . . reduced to writing by a pharmacist . . .”, in section (3), should be changed to “. . . reduced to writing by the pharmacy . . .” to allow technicians to perform this function.

RESPONSE: The Department of Health believes that this language would allow a technician to perform this function. The Department of Health has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy commented that they did not understand why there is a special rule for Schedule V prescriptions, and does not understand what section (3) means.

RESPONSE: Under section 195.060.1, RSMo Supp. 1999, Schedule V controlled substances may be sold without a prescription subject to department regulations. This rule restricts institutional practitioners from administering or dispensing without a signed, written prescription, oral prescription or order from an individual practitioner. The rule clarifies that individual practitioners may administer and dispense without a prescription. The rule clarifies that while pharmacists may dispense Schedule V controlled substances without a prescription; if they do dispense pursuant to a prescription, they must label it and treat the prescription as they would any other controlled substance prescription. The department has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy commented that as written, the rule seems to imply that an original prescription must have refills, if any, on the prescription, and if there are none, that the pharmacist cannot telephone the prescriber for additional refills.

RESPONSE AND EXPLANATION OF CHANGE: The Department of Health has considered this comment and agrees that the rule as written might be interpreted in this manner. The Department did not intend to prohibit a pharmacist from telephoning a prescriber for additional refills on a Schedule V prescription. The Department has decided to change section (1) by deleting the phrase “on the prescription” from the first sentence.

19 CSR 30-1.072 Dispensing of Schedule V Substances

(1) A pharmacist may dispense directly a controlled substance listed in Schedule V pursuant to a prescription. A prescription for a controlled substance listed in Schedule V may be refilled only as expressly authorized by the prescribing individual practitioner. If this authorization is not given, the prescription may not be refilled. A pharmacist dispensing those substances pursuant to a prescription shall label the substance and file the prescription.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.074 Dispensing Without a Prescription is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1321). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.076 Emergency Distribution by a Pharmacy is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1321-1324). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
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ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.078 Disposing of Unwanted Controlled Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1325-1329). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.