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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

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

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

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

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

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo Supp. 1999. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

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

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

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

EMERGENCY RULE

11 CSR 30-9.010 Definition

PURPOSE: This rule defines a crime tip organization as it applies under Operation Payback.

EMERGENCY STATEMENT: The Department of Public Safety finds that there is an immediate danger to the public welfare that requires emergency action. Without an emergency rule, the State funds appropriated to "Operation Payback", as set forth in 650.020 RSMo (1998), will not be available for distribution to crime tip organizations for the rest of this fiscal year. These organizations may use "Operation Payback" to enhance or promote the effectiveness of their program by reimbursement of funds for successful methamphetamine-related tips from the general public. Considering the growing problem of methamphetamine production within Missouri, every step possible must be taken to facilitate the utilization and acquisition of tip information from citizens to maximize the overall success of crime prevention tip programs. Without the funding available from "Operation Payback", some crime tip organizations may not be able to afford tip reimbursement, which

may lead to fewer tips submitted and a reduction in community involvement or interest. The scope of this emergency rule is limited to circumstances creating the emergency and complies with the protection extending in the *Missouri* and *United States Constitution*. The Department of Public Safety believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed February 28, 2000, effective March 9, 2000, and will expire on August 26, 2000.

(1) "Crime Tip Organization" shall mean a Missouri, community-based partnership between the community, law enforcement and the media working together in the community's fight against crime by encouraging citizens via cash rewards and anonymity to provide law enforcement information leading to the arrest of criminals.

AUTHORITY: section 650.020, RSMo Supp. 1999. Emergency rule filed Feb. 28, 2000, effective March 9, 2000, expires Aug. 26, 2000. A proposed rule covering this same material is published in this issue of the *Missouri Register*.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

EMERGENCY RULE

11 CSR 30-9.020 Participation Eligibility Requirements

PURPOSE: This rule establishes the criteria for a crime tip organization to be registered with the Missouri Department of Public Safety and thus be eligible to request reimbursement funds through Operation Payback.

EMERGENCY STATEMENT: The Department of Public Safety finds that there is an immediate danger to the public welfare that requires emergency action. Without an emergency rule, the State funds appropriated to "Operation Payback", as set forth in 650.020 RSMo (1998), will not be available for distribution to crime tip organizations for the rest of this fiscal year. These organizations may use "Operation Payback" to enhance or promote the effectiveness of their program by reimbursement of funds for successful methamphetamine-related tips from the general public. Considering the growing problem of methamphetamine production within Missouri, every step possible must be taken to facilitate the utilization and acquisition of tip information from citizens to maximize the overall success of crime prevention tip programs. Without the funding available from "Operation Payback", some crime tip organizations may not be able to afford tip reimbursement, which may lead to fewer tips submitted and a reduction in community involvement or interest. The scope of this emergency rule is limited to circumstances creating the emergency and complies with the protection extending in the *Missouri* and *United States Constitution*. The Department of Public Safety believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed February 28, 2000, effective March 9, 2000, and will expire on August 26, 2000.

(1) To be registered with the Missouri Department of Public Safety, the crime tip organization must provide the Missouri Department of Public Safety, Office of the Director, the following information:

(A) A current list of all board members, which includes at least one representative of the community's municipal or county law enforcement agency.

(B) A copy of the crime tip organization's bylaws.

(C) Information concerning the crime tip organization's federal tax identification number and a copy of documents of incorporation filed with the Missouri Secretary of State.

AUTHORITY: section 650.020, RSMo Supp. 1999. Emergency rule filed Feb. 28, 2000, effective March 9, 2000, expires Aug. 26, 2000. A proposed rule covering this same material is published in this issue of the Missouri Register.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

EMERGENCY RULE

11 CSR 30-9.030 Reimbursement Criteria

PURPOSE: This rule establishes the criteria for a crime tip organization receiving reimbursement funds through Operation Payback.

EMERGENCY STATEMENT: The Department of Public Safety finds that there is an immediate danger to the public welfare that requires emergency action. Without an emergency rule, the State funds appropriated to "Operation Payback", as set forth in 650.020 RSMo (1998), will not be available for distribution to crime tip organizations for the rest of this fiscal year. These organizations may use "Operation Payback" to enhance or promote the effectiveness of their program by reimbursement of funds for successful methamphetamine-related tips from the general public. Considering the growing problem of methamphetamine production within Missouri, every step possible must be taken to facilitate the utilization and acquisition of tip information from citizens to maximize the overall success of crime prevention tip programs. Without the funding available from "Operation Payback", some crime tip organizations may not be able to afford tip reimbursement, which may lead to fewer tips submitted and a reduction in community involvement or interest. The scope of this emergency rule is limited to circumstances creating the emergency and complies with the protection extending in the Missouri and United States Constitution. The Department of Public Safety believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed February 28, 2000, effective March 9, 2000, and will expire on August 26, 2000.

(1) To be considered for reimbursement through Operation Payback, the requesting crime tip organization must be registered with the Missouri Department of Public Safety, Office of the Director.

(2) The crime tip organization must submit the following information with its request for reimbursement:

(A) The date each tip, for which reimbursement is requested, was provided to the crime tip organization.

(B) The date each informant was paid for a tip, for which reimbursement is requested.

(C) The total amount paid to the informant for each tip, for which reimbursement is requested.

(D) The number of arrests that resulted from each tip for which reimbursement is requested.

(E) The amount of methamphetamine seized as a result from each tip for which reimbursement is requested.

(F) A copy of the report filed by the law enforcement agency making the arrest/seizure or a case number of the arrest/seizure.

(3) A crime tip organization requesting reimbursement funds through Operation Payback may be reimbursed up to \$250 for each crime tip on methamphetamine. If a crime tip organization awards more than \$250 for a tip on methamphetamine, it may only receive \$250 in reimbursement funds. A crime tip organization may not receive in excess of \$5,000 during any state fiscal year.

(4) A crime tip organization registered under Operation Payback may only receive reimbursement funds for methamphetamine seizures within the State of Missouri.

AUTHORITY: section 650.020, RSMo Supp. 1999. Emergency rule filed Feb. 28, 2000, effective March 9, 2000, expires Aug. 26, 2000. A proposed rule covering this same material is published in this issue of the Missouri Register.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

EMERGENCY RULE

11 CSR 30-9.040 Operation Payback Restrictions

PURPOSE: This rule stipulates prohibited use of reimbursement funds through Operation Payback.

EMERGENCY STATEMENT: The Department of Public Safety finds that there is an immediate danger to the public welfare that requires emergency action. Without an emergency rule, the State funds appropriated to "Operation Payback", as set forth in 650.020 RSMo (1998), will not be available for distribution to crime tip organizations for the rest of this fiscal year. These organizations may use "Operation Payback" to enhance or promote the effectiveness of their program by reimbursement of funds for successful methamphetamine-related tips from the general public. Considering the growing problem of methamphetamine production within Missouri, every step possible must be taken to facilitate the utilization and acquisition of tip information from citizens to maximize the overall success of crime prevention tip programs. Without the funding available from "Operation Payback", some crime tip organizations may not be able to afford tip reimbursement, which may lead to fewer tips submitted and a reduction in community involvement or interest. The scope of this emergency rule is limited to circumstances creating the emergency and complies with the protection extending in the Missouri and United States Constitution. The Department of Public Safety believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed February 28, 2000, effective March 9, 2000, and will expire on August 26, 2000.

(1) Reimbursement funds through Operation Payback may only be utilized by crime tip organizations registered and approved through the Missouri Department of Public Safety, Office of the Director, and only for use of the registered crime tip organization as provided in Section 650.020 RSMo.

(A) Crime tip organizations are not permitted to use Operation Payback funds to reimburse any law enforcement officer.

(B) Requests for reimbursement must only be for tips involving the sale or manufacture of methamphetamine that leads to a methamphetamine seizure.

AUTHORITY: section 650.020, RSMo Supp. 1999. Emergency rule filed Feb. 28, 2000, effective March 9, 2000, expires Aug. 26, 2000. A proposed rule covering this same material is published in this issue of the Missouri Register.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 9—Operation Payback**

EMERGENCY RULE

11 CSR 30-9.050 Organization Disqualification

PURPOSE: This rule establishes the criteria for which a crime tip organization may be removed from, or denied entry into, the Operation Payback program.

EMERGENCY STATEMENT: The Department of Public Safety finds that there is an immediate danger to the public welfare that requires emergency action. Without an emergency rule, the State funds appropriated to "Operation Payback", as set forth in 650.020 RSMo (1998), will not be available for distribution to crime tip organizations for the rest of this fiscal year. These organizations may use "Operation Payback" to enhance or promote the effectiveness of their program by reimbursement of funds for successful methamphetamine-related tips from the general public. Considering the growing problem of methamphetamine production within Missouri, every step possible must be taken to facilitate the utilization and acquisition of tip information from citizens to maximize the overall success of crime prevention tip programs. Without the funding available from "Operation Payback", some crime tip organizations may not be able to afford tip reimbursement, which may lead to fewer tips submitted and a reduction in community involvement or interest. The scope of this emergency rule is limited to circumstances creating the emergency and complies with the protection extending in the Missouri and United States Constitution. The Department of Public Safety believes this emergency regulation to be fair to all interested persons and parties under the circumstances. This emergency rule was filed February 28, 2000, effective March 9, 2000, expires August 26, 2000.

(1) A crime tip organization may be removed from participation in Operation Payback if it is determined they have provided false information to the Missouri Department of Public Safety, Office of the Director, in order to receive reimbursement funds. False information may include, but is not limited to:

(A) Indicating a higher amount of rewards granted than they actually provided.

(B) Providing false information regarding seizures of methamphetamine or methamphetamine arrests.

(C) Using Operation Payback funds to pay law enforcement officers.

(2) A crime tip organization may be denied entry into Operation Payback by the Missouri Department of Public Safety, Office of the Director, for the following reasons:

(A) The crime tip organization refuses or is unable to provide the information required in order to be registered with the Missouri Department of Public Safety, Office of the Director.

(B) It is determined the crime tip organization has provided false information to the Missouri Department of Public Safety, Office of the Director.

AUTHORITY: section 650.020, RSMo Supp. 1999. Emergency rule filed Feb. 28, 2000, effective March 9, 2000, expires Aug. 26, 2000. A proposed rule covering this same material is published in this issue of the Missouri Register.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

EMERGENCY AMENDMENT

19 CSR 30-60.010 Definitions Relating to Child Care Facilities.
The Department of Health is deleting section (2).

PURPOSE: This emergency amendment will delete the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

Since the effective date of this rule, July 30, 1995, the DOH has implemented this rule by defining the terms used in sections 19 CSR 40-60.020 through 19 CSR 40-60.120. Sections 19 CSR 40-60.020 through 19 CSR 40-60.120 are the rules that are used to conduct health, safety, and sanitation inspections for child care facilities that are exempt from state licensure. It would be impossible to implement these rules without 19 CSR 40-60.010, Definitions. Without implementation of these rules, the health, safety, and well being of children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(2) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.010. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.010 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the Missouri Register.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

EMERGENCY AMENDMENT

19 CSR 30-60.020 Application for Annual Fire Safety and Health and Sanitation Inspections and Inspection Procedures.
The Department of Health is deleting section (8).

PURPOSE: This emergency amendment will delete the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

Since the effective date of this rule, July 30, 1995, the DOH has implemented this rule by requiring child care providers that are exempt from state licensure to apply to the Department of Health (DOH) for an inspection for fire safety, health, and sanitation. This rule also provides the requirements for the organization and operation of child care facilities. Without implementation of this rule, the inspections could not be conducted and the health, safety, and well being of children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(8) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.020. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.020 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

EMERGENCY AMENDMENT

19 CSR 30-60.030 Local Inspections. The Department of Health is deleting section (3).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are

exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

Section 210.231 RSMo gives the DOH authority to delegate the inspection of license-exempt child care facilities to other entities, if the standards employed are substantially equivalent to state standards. The DOH contracts with local health departments to conduct annual sanitation inspections of 493 child care facilities operated by religious organizations and 124 nursery schools. This also includes inspections for emergency situations such as disease outbreaks, exposure to environmental hazards, infestation of insects, and lead. Without these inspections, children in child care facilities would not be assured of a safe, healthy environment.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(3) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.030. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.030 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities**

EMERGENCY AMENDMENT

19 CSR 30-60.040 Variance Requests. The Department of Health is deleting section (3).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH

to maintain these inspections and meet the requirements of section 210.252.5.

Section 210.252 RSMo requires the DOH to grant variances to child care providers if granting a variance does not endanger the health or safety of the children served by the facility. This rule is necessary for the DOH to meet these statute requirements.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(3) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.040. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.040 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities
EMERGENCY AMENDMENT**

19 CSR 30-60.050 Staffing Requirements. The Department of Health is deleting section (5).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

This rule provides the staffing requirements for child care facilities. The rule includes requirements such as supervision of children at all times; caregivers must provide care conducive to the health and safety of children; a caregiver cannot be under the influence of alcohol or drugs when providing child care; no person can be present at the facility that poses a threat to the children; and other requirements to protect the health and safety of children. Without this rule, the health, safety, and well being of children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is

limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(5) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.050. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.050 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities
EMERGENCY AMENDMENT**

19 CSR 30-60.060 Health Requirements. The Department of Health is deleting section (12).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

This rule requires the reporting of communicable diseases, proper handwashing techniques for caregivers and children, physical exams, procedures to use when children become ill, medication, and other health requirements. Without this rule, the health of child care providers, caregivers, and children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(12) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.060. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.060 July 30, 1998. Emergency amendment filed

March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities

EMERGENCY AMENDMENT

19 CSR 30-60.070 Responsibilities of Caregivers. The Department of Health is deleting section (2).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

This rule provides the requirements for supervision, admission of children, discipline, diapering of children, nutrition, and sanitation of kitchens in child care facilities. Without this rule, the health, safety, and well being of children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(2) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.070. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.070 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities

EMERGENCY AMENDMENT

19 CSR 30-60.080 Fire Safety Requirements. The Department of Health is deleting section (6).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

Since the effective date of this rule on July 30, 1995, the office of the State Fire Marshal has implemented this rule by conducting fire inspections in license-exempt child care facilities. This rule provides the requirements for exits, detection and extinguishment systems, heating equipment, fire and tornado drills, and other fire safety requirements. Without this rule, children in child care facilities would not be adequately protected from fires, and there is a serious risk of injury or death of the children.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(6) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.080. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.080 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities

EMERGENCY AMENDMENT

19 CSR 30-60.090 Sanitation Requirements. The Department of Health is deleting section (10).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

Since the effective date of this rule, July 30, 1995, the DOH has implemented this rule by requiring sanitation inspections in child care facilities that are exempt from state licensure. In addition to the annual inspections, some of the facilities must receive additional special circumstance sanitation inspections. This includes inspections for emergency situations such as disease outbreaks, exposure to environmental hazards, infestation of insects, lead, and investigation of complaints. Without this rule, the health, safety, and well being of children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(10) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.090. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.090 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities

EMERGENCY AMENDMENT

19 CSR 30-60.100 Physical Plant, Space, Supplies and Equipment. The Department of Health is deleting section (8).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery

schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

This rule ensures that the physical plant, space, supplies, and equipment in child care facilities are safe for the care of children. It provides general safety requirements, indoor requirements, safety requirements for the care of infants and toddlers, bathrooms, outdoor play equipment, and other physical plant safety requirements. Without this rule, children in child care facilities would not be adequately protected while on the premises of the child care facility, and there would be a serious risk of injury or death of the children.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(8) This rule expires June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.100. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.100 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and Licensure
Chapter 60—License-Exempt Child Care Facilities

EMERGENCY AMENDMENT

19 CSR 30-60.110 Transportation and Field Trip Requirements. The Department of Health is deleting section (4).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH

to maintain these inspections and meet the requirements of section 210.252.5.

This rule provides the requirements for the care, safety, and supervision of children when they are transported in a vehicle away from the premises of a child care facility. The rule includes requirements for parental consent for transportation, notification of parents, use of seat belts, qualifications of drivers and other safety requirements. Without this rule, the safe transportation of children away from the premises of the child care facility would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(4) This rule expires June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.110. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.110 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 60—License-Exempt Child Care Facilities

EMERGENCY AMENDMENT

19 CSR 30-60.120 Admission Procedures and Required Reports and Records. The Department of Health is deleting section (7).

PURPOSE: This emergency amendment deletes the requirement that this rule expires on June 30, 2000.

EMERGENCY STATEMENT: This emergency amendment is necessary as it deletes the requirement that this rule expires on June 30, 2000.

Section 210.252.1. RSMo requires inspections for fire safety by the state fire marshal, and health and sanitation inspections by the Department of Health (DOH) for child care facilities that are exempt from licensure by the DOH. Currently, there are 493 child care facilities operated by religious organizations and 124 nursery schools that are being inspected annually. These inspections are vital to the health, safety, and well being of children in child care facilities. Section 210.252.5 RSMo requires the DOH to promulgate rules and regulations for the inspection of child care facilities that are exempt from licensure in order to protect the children in child care facilities. This rule must continue in effect for the DOH to maintain these inspections and meet the requirements of section 210.252.5.

This rule provides the requirements for admission of a child to a child care facility. It includes a plan for caring for children if they become ill; written information for each child that must be on file at the facility; emergency medical information for each child;

emergency contacts; the name and number of an approved physician; the names of individuals approved to take the child from the facility, and other vital information regarding the child's care. Without this rule, the health, safety, and well being of children in child care facilities would not be assured.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

[(7) This rule expires on June 30, 2000.]

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [1994] Supp. 1999. This rule was previously filed as 19 CSR 40-60.120. Original rule filed Dec. 1, 1994, effective July 30, 1995. Changed to 19 CSR 30-60.120 July 30, 1998. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 62—Licensing Rules for Group Day Care
Homes and Child Day Care Centers

EMERGENCY AMENDMENT

19 CSR 30-62.087 Fire Safety. The Department of Health is amending section (12).

PURPOSE: This emergency amendment will require that licensed group day care homes and child day care centers must have smoke detectors in each room where children are being cared for and a manual fire alarm system with pull stations mounted at each exit door.

EMERGENCY STATEMENT: The emergency amendment is necessary as the requirements for smoke detectors in each room where children are being cared for, and the requirement for a manual fire alarm system with pull stations mounted at each exit door were inadvertently omitted from 19 CSR 40-62.087 Fire Safety that became effective on September 30, 1999. Regulation 19 CSR 40-62.087 was promulgated requiring smoke detectors and manual fire alarm systems only for facilities initially licensed and areas initially approved for child care on or after the effective date of this rule. It is vital to the safety of the children that existing facilities also be required to maintain smoke detectors and fire alarm systems in good working order.

Due to the physical arrangement of space in a child care center, the large number of children in care, and the ages of the children, children must receive assistance to escape safely from a fire. As staff must locate and assist each child, early notification of staff and occupants throughout the facility is essential. Without smoke detectors and fire alarm systems this is not possible and there is a serious risk of injury or death of the children.

The Missouri Department of Health finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is

limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri and United States Constitutions*. The Department of Health believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency amendment was filed March 1, 2000, effective March 11, 2000, and expires September 6, 2000.

(12) Detection, Alarms, and Extinguishment.

(D) [In addition to meeting all the requirements of this rule, facilities initially licensed and areas initially approved for child care on or after the effective date of this rule, shall meet the following requirements. If alterations are made in facilities licensed prior to the effective date of this rule, those facilities shall meet these requirements in the altered space—] **A smoke detector(s) shall be installed in each room where children are being cared for and all other areas that are deemed necessary by the fire inspector. Smoke detectors shall be in good operating condition and functional at all times. If smoke detectors are not operational, the provider shall install smoke detectors as required by 19 CSR 30-62.087 (12)(F)1. Fire Safety.**

[1.] (E) All facilities shall have a manual fire alarm system. Pull stations shall be mounted at each exit door and at least one (1) horn or strobe light shall be installed in a central location on each floor. Additional horns or strobe lights may be required by the fire inspector dependent upon the floor plan and arrangement of space. The battery backup control panel shall be Underwriter's Laboratory (UL) or Factory Mutual (FM) listed and installed on a circuit used only for this system in the breaker box. The fire alarm system shall be installed and maintained in good working order. The fire inspector shall base the inspection of this system on the National Fire Protection Association Standards, *National Fire Alarm Code*. This does not apply to facilities housed in one (1) room only where all exit doors lead directly outside at level exit discharge.

(F) **In addition to meeting all the requirements of this rule, facilities initially licensed and areas initially approved for child care on or after the effective date of this rule, shall meet the following requirements. If alterations are made in facilities licensed prior to the effective date of this rule, those facilities shall meet these requirements in the altered space—**

[2.] **1.** Group day care homes and day care centers caring for fifty (50) or fewer children at one (1) time shall have smoke detectors installed in each room used by the children and in other locations as deemed necessary by the fire inspector. All smoke detectors shall be powered by the building's electrical system and have a battery backup. When more than one (1) smoke detector is required in a facility, they shall be arranged so that the activation of any detector causes the operation of an alarm in all detectors. This system may work independently from the manual fire alarm system;

[3.] **2.** Day care centers caring for more than fifty (50) children at one time shall have a full coverage fire alarm system. Smoke detectors shall be installed in each room, throughout hallways, and in other locations as deemed necessary by the fire inspector. Heat detectors shall be installed in the attic, kitchen, mechanical rooms, and other locations as deemed necessary by the fire inspector. The fire alarm system shall be installed and maintained in good working order. The fire inspector shall base the inspection of this system on the National Fire Protection Association Standards, *National Fire Alarm Code*; and

[4.] **3.** Facilities using a commercial stove, deep fryer, two (2) home-type ranges placed side by side, or a home-type range that produces grease laden vapor, shall be equipped with a range hood and extinguishing system with an automatic cut-off of fuel supply and exhaust system in case of fire. The fire inspector shall

inspect these systems to ensure that they are in good working condition and are installed and maintained correctly. The inspector shall base this inspection on the National Fire Protection Association, Chapter 96, Standard for Fire Protection of Commercial Cooking Operations.

A. Home-type stoves separated by an eighteen inch (18")-cabinet shall not be required to have an extinguishing system installed above them.

B. Facilities that cook on a home-type range and have a menu that does not include frying or emitting a grease-laden vapor, shall not be required to install a fire extinguishment system above the range.

C. The range hood fire extinguishment system shall be interconnected with the control panel of the fire alarm system. The activation of the range hood fire extinguishment system shall cause the fire alarm to activate throughout the building.

[(E)] (G) Day care centers caring for more than one hundred (100) children at one time shall have a fire alarm system that notifies a monitoring company or the fire department. A copy of the contract with the monitoring company shall be on file at the facility and available for review by the fire inspector. The contract with the monitoring company shall not be terminated without approval of the fire inspector.

[(F)] (H) Facilities that have a supervised automatic fire sprinkler system installed shall have the system tested and approved annually by a fire sprinkler company. A copy of the test report and approval of the system shall be kept on file at the facility and available for review by the fire inspector.

[(G)] (I) When child care space is located above the second floor, the entire building shall be protected by a supervised automatic sprinkler system.

AUTHORITY: sections 210.221.1(3) and 210.252.5, RSMo [Supp. 1998] Supp. 1999. Original rule filed Feb. 18, 1999, effective Sept. 30, 1999. Emergency amendment filed March 1, 2000, effective March 11, 2000, expires Sept. 6, 2000. A proposed amendment covering this same material is published in this issue of the Missouri Register.