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MATT BLUNT

Administrative Rules Division

James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

DIRECTOR

LYNNE C. ANGLE

EDITORS

BARBARA MCDUGAL

JAMES MCCLURE

ASSOCIATE EDITORS

CURTIS W. TREAT

SALLY L. REID

TIFFANY M. DAVIS

PUBLISHING STAFF

WILBUR HIGHBARGER

CARLA HERTZING

HEATHER M. DOWNS

ADMINISTRATIVE STAFF

SANDY SANDERS

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IN THIS ISSUE:

FROM THIS ANGLE1021

EMERGENCY RULES
Department of Social Services
 Division of Medical Services1023

PROPOSED RULES
Department of Economic Development
 Public Service Commission1024
Department of Elementary and Secondary Education
 Division of School Improvement1039
 Special Education1042
Department of Public Safety
 Peace Officer Standards and Training Program1043
Department of Social Services
 Division of Medical Services1044
Retirement Systems
 The County Employees' Retirement Fund1047

ORDERS OF RULEMAKING
Department of Economic Development
 Public Service Commission1048
Department of Insurance
 Property and Casualty1050

DISSOLUTIONS1052

BID OPENINGS
Office of Administration
 Division of Purchasing1055

SOURCE GUIDES
RULE CHANGES SINCE UPDATE1056
EMERGENCY RULES IN EFFECT1065
EXECUTIVE ORDERS1067
REGISTER INDEX1068

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
March 3, 2003 March 17, 2003	April 1, 2003 April 15, 2003	April 30, 2003 April 30, 2003	May 30, 2003 May 30, 2003
April 1, 2003 April 15, 2003	May 1, 2003 May 15, 2003	May 31, 2003 May 31, 2003	June 30, 2003 June 30, 2003
May 1, 2003 May 15, 2003	June 2, 2003 June 16, 2003	June 30, 2003 June 30, 2003	July 30, 2003 July 30, 2003
June 2, 2003 June 16, 2003	July 1, 2003 July 15, 2003	July 31, 2003 July 31, 2003	August 30, 2003 August 30, 2003
July 1, 2003 July 15, 2003	August 1, 2003 August 15, 2003	August 31, 2003 August 31, 2003	September 30, 2003 September 30, 2003
August 1, 2003 August 15, 2003	September 2, 2003 September 15, 2003	September 30, 2003 September 30, 2003	October 30, 2003 October 30, 2003
September 2, 2003 September 15, 2003	October 1, 2003 October 15, 2003	October 31, 2003 October 31, 2003	November 30, 2003 November 30, 2003
October 1, 2003 October 15, 2003	November 3, 2003 November 17, 2003	November 30, 2003 November 30, 2003	December 30, 2003 December 30, 2003
November 3, 2003 November 17, 2003	December 1, 2003 December 15, 2003	December 31, 2003 December 31, 2003	January 30, 2004 January 30, 2004
December 1, 2003 December 15, 2003	January 2, 2004 January 15, 2004	January 30, 2004 January 30, 2004	February 29, 2004 February 29, 2004

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

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

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

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

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

Each department of state government is assigned a title. Each agency or division 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.



FROM THIS ANGLE ...

Fiscal Impact Statements

Chapter 536.200 - 536.215 will explain your agency's responsibility as it pertains to fiscal impact statements for both private and public fiscal costs pertaining to rulemakings. It is the responsibility of your agency to complete these statements for your rulemakings if any cost exceeding \$500, either private or public cost is involved. Our office prescribes the form to be used for completion of these statements. This form is available on the Internet at www.sos.mo.gov/adrules/forms.asp. If you have questions regarding the same, please consult your legal counsel – our office cannot advise you on the completion of your fiscal impact computations.

The Joint Committee on Administrative Rules has advised our office they are scrutinizing all rules for statutory compliance in this regard and will continue to do so.

New Web Address – Please change your “Favorites”

The Secretary of State's web address has changed. Please change your “favorites” to reflect this change as follows: www.sos.mo.gov. If you wish to access Administrative Rules directly, please add the designation /adrules after gov (www.sos.mo.gov/adrules).

New JCAR Director

The Joint Committee on Administrative Rules has named a new Director. Please address your correspondence and cover letters to the Joint Committee on Administrative Rules to the attention of “Cindy Kadlec.” Cindy received both her undergraduate degree in Political Science and her law degree from the University of Missouri – Columbia. Prior to being named Director of JCAR, Cindy served as a member of the staff of Senate Research. Part of her responsibilities as a member of Senate Research was providing staff support for JCAR. Welcome to JCAR, Cindy – we look forward to working with you!

Rulemaking 1-2-3, Missouri Style

Do you or your agency have a copy of the newest edition of the rulemaking manual? Our office sets the uniform procedures for publication of all phases of rulemakings. The new rulemaking manual is very helpful in following the procedural steps necessary in the preparation of your rule packets and the filing of the same. Additionally, the manual is available in an online version on our website.

It's a Girl!!

Finally, Administrative Rules welcomes the arrival of Micah Lyn Davis, on May 1, 2003. Micah is the daughter of Tiffany (and Jeff) Davis. Tiffany is an Associate Editor on our staff. We refer to Micah as "our Ad Rules baby." Be sure to ask to see pictures of this precious new arrival next time you are in our office!!

As always, please advise if we may be of any assistance to you in the rulemaking process.



Lynne C. Angle
Director, Administrative Rules

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

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

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

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 15—Hospital Program**

EMERGENCY AMENDMENT

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA). The division is changing section (10) and adding section (11).

PURPOSE: The emergency amendment changes section (10) and adds section (11). This amendment will establish the Federal Reimbursement Allowance (FRA) assessment for SFY 2003 at five and seventy hundredths percent (5.70%) and SFY 2004 at five and sixty-four hundredths percent (5.64%).

EMERGENCY STATEMENT: The Division of Medical Services finds that this emergency amendment is necessary to preserve a compelling governmental interest of providing health care to individuals eligible for the Medicaid program. An early effective date is required in that the emergency amendment made adjustments to the Federal Reimbursement Allowance for SFY 2003 and establishes the Federal Reimbursement Allowance for SFY 2004 to ensure access to hospital services for indigent and Medicaid recipients at hospitals which have relied on Medicaid payments in meeting those needs. The Division of Medical Services also finds an immediate danger to public health and welfare which requires emergency actions. If this emergency amendment is not enacted, it will cause significant cash flow shortages and financial strain on all hospitals which service more than nine hun-

dred thousand (900,000) Medicaid recipients. This will, in turn, result in an adverse impact on the health and welfare of those in need of medical care and treatment. A proposed amendment, which covers the same material, is published in this issue of the *Missouri Register*. This emergency amendment limits its scope to the circumstances creating the emergency and complies with the protections extended by the *Missouri* and *United States Constitutions*. The Division of Medical Services believes this emergency amendment to be fair to all interested parties under the circumstances. The emergency amendment was filed April 29, 2003, effective May 9, 2003 and expires February 19, 2004.

(10) Federal Reimbursement Allowance (FRA) for State Fiscal Year 2003. The FRA assessment for State Fiscal Year (SFY) 2003 shall be determined at the rate of [five and fifty-two] five and seventy hundredths percent [(5.52%)] (5.70%) of the hospital's total operating revenue less tax revenue/other government appropriations plus non-operating gains and losses as published by the Missouri Department of Health, State Center for Health Statistics in the *Missouri Hospital Revenues 1995-2000* manual, which is incorporated by reference in this rule. The base financial data for 1999 will be annualized, if necessary, and will be adjusted by the trend factor listed in 13 CSR 70-15.010(3)(B) to determine revenues for the current state fiscal year. The financial data that is submitted by the hospitals to the Missouri Department of Health and Senior Services is required as part of 19 CSR 10-33.030, Reporting Financial Data by Hospitals. If the pertinent information is not available through the Department of Health and Senior Services' hospital database, the Division of Medical Services will use the Medicaid data similarly defined from the Medicaid cost report that is required to be submitted pursuant to 13 CSR 70-15.010(5)(A).

(11) Federal Reimbursement Allowance (FRA) for State Fiscal Year 2004. The FRA assessment for State Fiscal Year (SFY) 2004 shall be determined at the rate of five and sixty-four hundredths percent (5.64%) of the hospital's total operating revenue less tax revenue/other government appropriations plus non-operating gains and losses as published by the Missouri Department of Health, State Center for Health Statistics in the *Missouri Hospital Revenues 1995-2000* manual, which is incorporated by reference in this rule. The base financial data for 2000 will be annualized, if necessary, and will be adjusted by the trend factor listed in 13 CSR 70-15.010(3)(B) to determine revenues for the current state fiscal year. The financial data that is submitted by the hospitals to the Missouri Department of Health and Senior Services is required as part of 19 CSR 10-33.030, Reporting Financial Data by Hospitals. If the pertinent information is not available through the Department of Health and Senior Services' hospital database, the Division of Medical Services will use the Medicaid data similarly defined from the Medicaid cost report that is required to be submitted pursuant to 13 CSR 70-15.010(5)(A).

AUTHORITY: sections 208.201, 208.453 and 208.455, RSMo 2000. Emergency rule filed Sept. 21, 1992, effective Oct. 1, 1992, expired Jan. 28, 1993. Emergency rule filed Jan. 15, 1993, effective Jan. 25, 1993, expired May 24, 1993. Original rule filed Sept. 21, 1992, effective June 7, 1993. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed April 29, 2003, effective May 9, 2003, expires Feb. 19, 2004. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.