

**T**his 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 (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he 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 (90)-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 2—DEPARTMENT OF AGRICULTURE  
Division 30—Animal Health  
Chapter 1—Organization and Description**

**ORDER OF RULEMAKING**

By the authority vested in the director of agriculture under section 536.023, RSMo 2000, the director amends a rule as follows:

2 CSR 30-1.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2004 (29 MoReg 584). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received regarding this proposed change. Staff recommended that the address for the Cooperative State & Federal Veterinary Diagnostic Laboratory include their post office box in section (3).

**RESPONSE AND EXPLANATION OF CHANGE:** The post office box for the Cooperative State & Federal Veterinary Diagnostic Laboratory will be added.

**2 CSR 30-1.010 General Organization**

(3) Two (2) laboratories are maintained by the state veterinarian's office and are located at the following addresses: Cooperative State & Federal Veterinary Diagnostic Laboratory, 216 El Mercado Plaza,

Post Office Box 630, Jefferson City, MO 65109; and Veterinary Diagnostic Laboratory, 701 North Miller Avenue, Post Office Box 2510, Springfield, MO 65802-2510.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 30—Animal Health  
Chapter 1—Organization and Description**

**ORDER OF RULEMAKING**

By the authority vested in the director of agriculture under section 267.122, RSMo 2000, the director amends a rule as follows:

2 CSR 30-1.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2004 (29 MoReg 584). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received regarding this proposed change. Staff recommended that the address for the Cooperative State & Federal Veterinary Diagnostic Laboratory include their post office box.

**RESPONSE AND EXPLANATION OF CHANGE:** The post office box for the Cooperative State & Federal Veterinary Diagnostic Laboratory will be added in subsection (1)(A).

**2 CSR 30-1.020 Laboratory Services and Fees**

(1) The Animal Health Diagnostic Laboratories are operated by and under the direction of the state veterinarian. The mailing addresses of the Animal Health Laboratories are as follows:

(A) Cooperative State & Federal Veterinary Diagnostic Laboratory, 216 El Mercado Plaza, PO Box 630, Jefferson City, MO 65109; and

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,  
Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-7.455 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2004 (29 MoReg 890). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE:** No written comments were received. Section (2) will be changed to close a loophole which might lead to a violation of the *Wildlife Code*. Criteria for checking harvested turkeys has been clarified.

**3 CSR 10-7.455 Turkeys: Seasons, Methods, Limits**

(2) Turkeys may be possessed or transported only by the taker thereof and only when tagged immediately with the transportation portion of the permit. Detachment of the transportation portion of the permit prior to taking a turkey renders the permit void. Turkeys must remain with head and plumage intact until checked or registered. All turkeys taken must be checked or registered within twenty-four (24) hours. During the spring and fall firearms turkey hunting seasons, the taker must submit turkeys, along with the prescribed hunting permit, for checking at an official check station or by registering harvest through the Telecheck Harvest Reporting System. For turkeys registered through the Telecheck Harvest Reporting System, the telecheck confirmation number must be recorded immediately on the transportation portion of the permit. During archery season, the taker must submit turkeys, along with the prescribed archery permit, for inspection and registration at an official archery check station.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 2—Licensing of Physicians and Surgeons**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.075 and 334.125, RSMo 2000, the board amends a rule as follows:

**4 CSR 150-2.125** Continuing Medical Education is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 781). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.020 and 334.050, RSMo 2000, the board amends a rule as follows:

**4 CSR 150-4.040** Internationally Trained Applicants is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 785). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 345.030 and 345.051, RSMo 2000, the board amends a rule as follows:

**4 CSR 150-4.053** Acceptable Continuing Education is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 785). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 150—State Board of Registration for the Healing Arts**  
**Chapter 4—Licensing of Speech-Language Pathologists and Audiologists**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 345.015, 345.030 and 345.050, RSMo 2000, the board amends a rule as follows:

**4 CSR 150-4.205** Procedural Process for Registration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 785-786). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 13—Service and Billing Practices for Residential Customers of Electric, Gas and Water Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission (commission or PSC) under sections 386.250 and 393.140, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-13.015** Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 3, 2004 (29 MoReg 731-732). A public hearing was held on June 7, 2004.

No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing was held on June 7, 2004. The time for submission of written comments ended June 2, 2004. The commission received no written comments. At the public hearing, Gay Fred, Manager of the Consumer Services Department of the Commission, explained that the amendment is designed to provide specific definitions to provide clarification so that the rules in Chapter 13 may be applied consistently to all parties or all consumers. John B. Coffman, Public Counsel, Office of the Public Counsel, stated at the public hearing that Office of the Public Counsel supports the amendment to this rule, and generally supports the Denial of Service Rule. At the public hearing the commission asked clarifying questions. There are no changes to the rule as a result of the hearing.

No written comments received during the comment period and those made at the public hearing related to the need for addition of two (2) definitions to the definitions section of this rule.

**COMMENT:** The commission received one (1) comment from Gay Fred that the addition of the two (2) definitions to the Definitions section of Chapter 13 adds clarity to the rule and allows for uniform application of the rule.

**RESPONSE:** As a result of this comment no change was made to the rule.

**COMMENT:** John B. Coffman, Public Counsel, commented that the Public Counsel has no problem with the proposed amendment and no objection to the rule.

**RESPONSE:** As a result of this comment, no changes were made to the rule.

**Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
Division 10—Division of Employment Security  
Chapter 3—Unemployment Insurance**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Employment Security, under sections 288.040, 288.070 and 288.220.5, RSMo 2000, the division amends a rule as follows:

**8 CSR 10-3.010** Registration and Claims in General **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 793). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
Division 10—Division of Employment Security  
Chapter 3—Unemployment Insurance**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Employment Security, under sections 288.030, 288.040, 288.070, 288.130 and 288.220.5, RSMo 2000, the division rescinds a rule as follows:

**8 CSR 10-3.020** Registration and Claims of Certain Workers Who Become Totally Unemployed Because of a Mass Layoff Due to a Temporary Cessation of Work **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2004 (29 MoReg 793-794). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 10—Director, Department of Mental Health  
Chapter 5—General Program Procedures**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Mental Health under section 630.050, RSMo 2000, the department amends a rule as follows:

**9 CSR 10-5.210** Exceptions Committee Procedures **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 794). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) 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 2000, the director rescinds a rule as follows:

**12 CSR 10-4.340** Dual Operators **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2004 (29 MoReg 839-840). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) 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 15—Hospital Program**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Medical Services under section 208.201, RSMo 2000, the director adopts a rule as follows:

**13 CSR 70-15.190** Out-of-State Hospital Services Reimbursement Plan **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 17, 2004 (29

MoReg 840-842). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Division of Medical Services received one (1) comment on the proposed rule.

**COMMENT:** Richard D. Watters, Lashly & Baer, P.C., provided the following comment: In the May 17, 2004 *Missouri Register*, DMS published a proposed rule on Out-of-State Hospital Services Reimbursement Plan identified as 13 CSR 70-15.190. Sections (7) and (11) of that proposed rule identify implementation of a policy relative to review procedures, but only in general terms, that will be applicable to all out-of-state hospitals. Section (7) refers to a "Department Concurrent Hospital Review" process (capitalization in original) while section (11) refers to "program compliance reviews." Nowhere does the proposed regulation identify what is involved in these reviews nor what standards must be met to obtain favorable reviews. Nor does the proposed regulation cite to any outside source or other DMS regulation where the details of these reviews may be found. I am aware of the requirements in 13 CSR 70-15.020, "Procedures for Admission Certification, Continued Stay Review and Validation Review of Hospital Admissions"; 13 CSR 70-15.030, "Limitations on Payment for Inpatient Hospital Care"; and 13 CSR 70-15.090, "Procedures for Evaluation of Appropriate Inpatient Hospital Admissions and Continued Days of Stay." Are these the reviews which are referred to in the proposed rule? Are there other regulations, policies or procedures that define or describe these reviews?

**RESPONSE:** Sections (7) and (11) of the proposed rule refers to "Department Concurrent Hospital Review" process and "program compliance reviews" respectively. The reviews referred to in the proposed rule are outlined in 13 CSR 70-15.020, 13 CSR 70-15.030 and 13 CSR 70-15.090. No changes have been made to the rule as a result of this comment.

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 51—Broker-Dealers, Agents, Investment**  
**Advisers, and Investment Adviser Representatives**

**ORDER OF RULEMAKING**

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner amends a rule as follows:

15 CSR 30-51.170 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 17, 2004 (29 MoReg 843-844). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** Omar Davis, Securities Counsel for the Securities Division, recommended the addition of "commodity or other investment" to the language in subsection (1)(E). Mr. Davis commented that this rule should be consistent with the change in section 409.4-412(d)(13) of the Missouri Securities Act of 2003.

Mr. Davis also commented that the proposed substitution of the terms "broker-dealer or agent" for "applicant or registrant" could lead to misinterpretation of the commissioners intent and he recommended this change not be made.

**RESPONSE AND EXPLANATION OF CHANGE:** The commissioner agrees with the comments, and the changes will be made.

**15 CSR 30-51.170 Dishonest or Unethical Business Practices by Broker-Dealers and Agents**

(1) Grounds for the discipline or disqualification of broker-dealers or agents shall include, in addition to other grounds specified in section 409.4-412(d) of the Missouri Securities Act of 2003 (the Act), the following "dishonest or unethical practices in the securities business":

(E) Recommending to a customer the purchase, sale or exchange of any security, commodity, or other investment without reasonable grounds to believe that this transaction or recommendation is suitable for the customer based upon reasonable inquiry concerning the customer's investment objectives, financial situation and needs, and any other relevant information known by the applicant or registrant;

(H) Making false, misleading, deceptive, exaggerated or flamboyant representations or predictions in the solicitation or sale of a security, as, for example:

1. That the security will be resold or repurchased;
2. That it will be listed or traded on an exchange or established market;
3. That it will result in an assured, immediate or extensive increase in value, future market price or return on investment;
4. With respect to the issuer's financial condition, anticipated earnings, potential growth or success;
5. That there is a guarantee against risk or loss; or
6. A representation that a security is being offered to a customer at the market or a price related to the market price, unless the applicant or registrant knows or has reasonable grounds to believe that—

A. A market for the security exists other than that made, created or controlled by the applicant or registrant, or by any person for whom s/he is acting or with whom s/he is associated in the distribution, or any person controlled by, controlling or under common control with the applicant or registrant; or

B. The security is traded in an established securities market, and the fact that the applicant or registrant is in a control position with respect to the market for that security is fully disclosed to the investor;

(I) Failing to disclose a dual agency capacity or effecting transactions upon terms and conditions other than those stated per confirmations; or failing to disclose that the applicant or registrant is controlled by, controlling, receiving compensation from, affiliated with or under common control with the issuer of any security before entering into any contract with or for a customer for the purchase or sale of the security, or if this disclosure is not made in writing, failing to give or send a written disclosure at or before the completion of the transaction;

(S) Offering to buy from or sell to any person any security at a stated price unless the applicant or registrant is prepared to purchase or sell, as the case may be, at a price and under the conditions as are stated at the time of the offer to buy or sell;

(U) Publishing or circulating or causing to be published or circulated, any notice, circular, advertisement, newspaper article, investment service or communication of any kind which purports to report any transaction as a purchase or sale of any security unless the applicant or registrant believes that the transaction was a bona fide purchase or sale of this security; or which purports to quote the bid or asked price for any security, unless the applicant or registrant believes that the quotation represents a bona fide bid for, or offer of, the security; or using any advertising or sales material in such a fashion as to be deceptive or misleading, such as the distribution of any nonfactual datum, material or presentation based on conjecture, unfounded or unrealistic claims or assertions in any brochure, flyer, or display by words, pictures, graphs or otherwise, designed to supplement, detract from, supersede or defeat the purpose or effect of any prospectus or disclosure;

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 51—Broker-Dealers, Agents, Investment**  
**Advisers, and Investment Adviser Representatives**

**ORDER OF RULEMAKING**

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

15 CSR 30-51.172 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 17, 2004 (29 MoReg 844-845). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** Omar Davis, Securities Counsel for the Securities Division, recommended the addition of “commodity or other investment” to the language in subsection (1)(A). Mr. Davis commented that this rule should be consistent with the change in section 409.4-412(d)(13) of the Missouri Securities Act of 2003.  
**RESPONSE AND EXPLANATION OF CHANGE:** The commissioner agrees with the comment, and the change will be made.

**15 CSR 30-51.172 Dishonest or Unethical Business Practices by Investment Advisers and Investment Adviser Representatives**

(1) Grounds for the discipline or disqualification of investment advisers or investment adviser representatives (adviser) shall include, in addition to other grounds specified in section 409.4-412(d) of the Missouri Securities Act of 2003 (the Act), the following “dishonest or unethical practices in the securities business.”

(A) Recommending to a client to whom investment, supervisory, management, or consulting service are provided that he/she purchase, sell, or exchange any security, commodity, or other investment when the adviser does not have reasonable grounds to believe that the recommendation is suitable for the client on the basis of information furnished by the client after reasonable inquiry concerning the client’s overall portfolio, investment objectives, financial situation and needs, investment experience, and any other information known by the adviser;

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 51—Broker-Dealers, Agents, Investment**  
**Advisers, and Investment Adviser Representatives**

**ORDER OF RULEMAKING**

By the authority vested in the commissioner of securities under section 409.6-605, RSMo Supp. 2003, the commissioner adopts a rule as follows:

**15 CSR 30-51.173 Supervision Guidelines for Investment Advisers is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 17, 2004 (29 MoReg 845-846). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 30—Division of Health Standards and Licensure**  
**Chapter 88—Resident’s Rights and Handling Resident Funds and Property in Long-Term Care Facilities**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Health and Senior Services under sections 198.009, 198.076, 198.079, and 198.088, RSMo 2000, and 660.050, RSMo Supp. 2003, the department amends a rule as follows:

19 CSR 30-88.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2004 (29 MoReg 536-537). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** One set of written comments was received by the Department of Health and Senior Services addressing the proposed amendment.

**COMMENT:** Harvey M. Tettlebaum, Husch & Eppenberger, LLC, listed a series of questions. Is the facility to inform the resident of home and community based options at the time of admission? Must this include a description of all providers in the state? How is the resident to receive information prior to admission? Can the information be provided in either written or oral form? Will the division have a role in preparing a list of home and community based service options? Will entities other than the facility or division/department participate in providing information to residents?

Mr. Tettlebaum also observed that if the facility is to provide information, the additional staff needed to do so may require the expenditure of more than the five hundred dollars (\$500) in the aggregate cited in the “Private Cost” estimate.

Mr. Tettlebaum further suggested that the department has no authority under section 198.088, RSMo to promulgate this amendment. Further still, he suggested that the department has no statutory authority to expand the rights of nursing facility residents beyond those listed in “section 198.055.1, RSMo.” Lastly, he stated that section 198.009, RSMo does not give the department the authority to add to resident rights by regulation, and Article II, section 1 of the Missouri Constitution (1945) precludes the department from granting this right to nursing facility residents.

**RESPONSE AND EXPLANATION OF CHANGE:** The department is expressing a generalized right for any potential resident to be informed of his/his options prior to or at the time that individual becomes a resident.

The department has considered this comment and decided to revise the rule to include that providing a copy of the most current Missouri’s Guide to Home and Community Based Services or any successor pamphlet complies with this rule. The revision states “Prior to or upon admission, each prospective resident or each resident shall be informed of the home and community based services available in this state by providing such resident a copy of the most current Missouri’s Guide to Home and Community Based Services, incorporated by reference, or any successor pamphlet as may be incorporated by reference in a subsequent amendment to this section.” As a result, the responses to the comments in the Final Order of Rulemaking that were initially filed with the Joint Committee on Administrative Rules are revised to delete any reference to obtaining information on home and community based services from any other source, including a third party, prior to or at the time of admission.

What is not permissible by this rule is any effort by the provider to prohibit the potential resident or a resident upon admission from being informed of other home and community based services available in this state. This prohibition may include, but is not limited to, preventing a potential resident or a resident upon admission who has requested this information from receiving it. This would be a clear violation of this rule and would result in an enforcement action.

In Mr. Tettlebaum's comments, several specific questions are asked which are answered below:

Is it the obligation of the facility to so inform the resident at the time of admission?

As stated above, "Prior to or upon admission, each prospective resident or each resident shall be informed of the home and community based services available in this state by providing such resident a copy of the most current Missouri's Guide to Home and Community Based Services, incorporated by reference, or any successor pamphlet as may be incorporated by reference in a subsequent amendment to this section."

Must the information include a description of all home and community providers in the state?

Provision of the Missouri's Guide to Home and Community Based Services or successor pamphlet complies with this rule.

How does the division expect the resident to receive this information "prior to" admission?

This rule mirrors other rules in this section by allowing information to be shared before admission. It is our hope that information can be provided at the first contact, just as information regarding services or cost is done now.

Can the information be provided either in written form or orally?

Provision of the Missouri's Guide to Home and Community Based Services or successor pamphlet complies with this rule.

What is the department's role in preparing a list of service options that exist in the area?

The department will serve as a resource to the potential resident and the facility with regard to information about home and community based service options by providing facilities with copies of the Missouri's Guide to Home and Community Based Services or successor pamphlet.

Does the division contemplate that any other entities will be involved in providing this information?

Provision of the Missouri's Guide to Home and Community Based Services or successor pamphlet complies with this rule. Of course, as an example, hospital discharge planners currently, routinely discuss a variety of services, ranging from in-home services to facility care, to patients and their families.

Will the private cost be in excess of five hundred dollars (\$500)?

Since this rule states that the potential resident has a right to be informed, the only true cost would be the protection of that right. Further, provision of the department's pamphlet complies with this rule. Therefore, the department believes the only cost would be that of protecting the right and, therefore, would be less than five hundred dollars (\$500).

Lastly, Mr. Tettlebaum commented that the department does not have the statutory authority to promulgate rules for resident rights. Sections 198.076, RSMo and 198.079, RSMo state clearly that the department has rulemaking authority for resident rights and grievance procedures. However, this has brought to the department's attention that it inadvertently failed to incorporate these two (2) provisions in its list of provisions that grant the department rulemaking authority for this rule.

### 19 CSR 30-88.010 Resident Rights

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secre-*

*tary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.*

(9) Prior to or upon admission, each prospective resident or each resident shall be informed of the home and community based services available in this state by providing such resident a copy of the most current Missouri's Guide to Home and Community Based Services, incorporated by reference, or any successor pamphlet as may be incorporated by reference in a subsequent amendment to this section.  
III

*AUTHORITY: sections 198.009, 198.076, 198.079, and 198.088, RSMo 2000 and 660.050, RSMo Supp. 2003. This rule originally filed as 13 CSR 15-18.010. Original rule filed July 13, 1983, effective Oct. 13, 1983. Amended: Filed Sept. 12, 1984, effective Dec. 13, 1984. Amended: Filed Jan. 3, 1992, effective Aug. 6, 1992. Amended: Feb. 13, 1998, effective Sept. 30, 1998. Moved to 19 CSR 30-88.010, effective Aug. 28, 2001. Amended: Filed March 1, 2004.*

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 100—Division of Credit Unions  
APPLICATIONS FOR NEW GROUPS OR GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the following credit unions have submitted applications to add new groups or geographic areas to their membership.

Credit Union	Proposed New Group or Geographic Area
Lake City Credit Union 2112 S. 291 Hwy. Independence, MO 64057	Persons who are living or working in the zip codes of 64055, 64029 and 64075.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a written statement in support of or in opposition to any of these applications. Comments shall be filed with: Director, Division of Credit Unions, PO Box 1607, Jefferson City, MO 65102. To be considered, written comments must be submitted no later than ten (10) business days after publication of this notice in the Missouri Register.*

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 100—Division of Credit Unions  
ACTIONS TAKEN ON APPLICATIONS FOR NEW GROUPS OR GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
De Soto Mo Pac Credit Union 101 Plaza Square De Soto, MO 63020	HAVAC employees and their families living or working in Jefferson, Washington & St. Francois Counties.

**MISSOURI DIVISION OF CREDIT UNIONS  
APPLICATION TO EXPAND THE FIELD OF MEMBERSHIP OF DE SOTO MO PAC CREDIT UNION**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. The application to expand the field of membership was received by the Director, Division of Credit Unions on March 26, 2004.
2. The application was submitted in the required format and on May 24, 2004 was deemed to be complete.
3. Credit Union by resolution of their Board of Directors dated April 13, 2004 with said resolution submitted with the field of membership application, will expand their field of membership only by employee groups (RSMo 370.081.4; 370.080.2).
4. The application to expand the De Soto Mo Pac Credit Union's field of membership is for HAVAC employees and their families living or working in Jefferson, Washington and St. Francois Counties of Missouri. According to the application, there are approximately 500 employees within the applicant group; therefore provisions of RSMo 370.081.2 and 4 CSR 105-3.040 Exemptions from Limitations on Groups are not applicable.
5. After review of De Soto Mo Pac Credit Union's most recent Supervisory Examination Report and the March 2004 call report, the Director is satisfied that the credit union is operating in a safe and sound manner and there are no adverse conditions or regulatory concerns. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(A)).
6. Credit Union's net worth as reported on the March 2004 call report is 12.26%. The Director finds De Soto Mo Pac Credit Union is adequately capitalized. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(B)).
7. After review of De Soto Mo Pac Credit Union's business plan submitted as part of the field of membership application, March 2004 call report, and the most recent Supervisory Examination Report, the Director finds this credit union has the administrative capability and the financial resources to served the proposed groups. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(C)).
8. That the formation of a separate credit union by these small groups is not practical and consistent with reasonable standards for the safe and sound operation of a credit union. (4 CSR 105-3.020 Criteria for Additional Membership Groups (1)(D)).



John P. Smith, Director  
Division of Credit Unions

July 21, 2004  
Date

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 265—Division of Motor Carrier  
and Railroad Safety  
Chapter 2—Practice and Procedure**

**IN ADDITION**

A proposed rule, 4 CSR 265-2.060, was published in the *Missouri Register* on September 15, 1995 (20 MoReg 5895-5907) and a final order of rulemaking was published in the *Missouri Register* on January 16, 1996 (21 MoReg 152-183). An error occurred in the January 26, 1996 update to the *Code of State Regulations* in subsection (6)(C). The words “grant that application if it finds on the basis” were inadvertently omitted from the text of the rule following the phrase “but the division shall not . . .” This rule will appear correctly in the September 30, 2004 update to the *Code of State Regulations*.

Subsection (6)(C) is reprinted here in its entirety for clarification.

**4 CSR 265-2.060 General Application Requirements for the  
Issuance and Transfer of Intrastate Motor Carrier Certificates,  
Permits and Temporary Authority**

(6) Applicable Standards, Generally—Except as otherwise provided in subsections (6)(A)–(E), the division shall grant the application if it determines on the basis of the information filed by the applicant, evidence submitted by the division staff, and any other information received by the division and filed in the case, that the applicant is in compliance with the applicable safety and insurance requirements, and is willing to properly perform the service of a motor carrier of property or passengers, and to conform to the applicable provisions of Chapter 390, RSMo, and the requirements of the division established thereunder.

(C) Exception—Household Goods or Passengers Other than in Charter Service, Contract Carriers—Whenever the application seeks the issuance of a permit which authorizes the intrastate transportation of household goods, or passengers other than in charter service (other than a passenger application under section 390.063, RSMo) as a contract carrier, the division shall also make findings as required by subsection 4 of section 390.061, RSMo, and shall not grant the application unless it finds that the applicant is fit, willing and able to properly perform the service proposed, and to conform to the provisions of Chapter 390, RSMo, and the rules and orders of the division, and that the service proposed will serve a useful present or future purpose; but the division shall not grant that application if it finds on the basis of evidence presented by persons objecting to the issuance of a permit that the transportation to be authorized by the requested permit will be inconsistent with the public convenience and necessity.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 30—Certification Standards  
Chapter 4—Mental Health Programs**

**STATEMENT OF ACTUAL COST**

**9 CSR 30-4.195 Access Crisis Intervention Programs**

The fiscal note published for this rule in the *Missouri Register* on October 1, 2002 (27 MoReg 1772-1784) estimated that the cost of this rule to the Department of Mental Health would be \$6,584,881 per year. The actual cost during the first fiscal year ending July 1, 2004 was \$8,881,209.



**STATUTORY LIST OF CONTRACTORS  
BARRED FROM PUBLIC WORKS PROJECTS**

The following is a list of all contractors who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the secretary of state pursuant to section 290.330, RSMo. This is provided to assist public bodies with their responsibilities under this section that states "No public body shall award a contract for a public works to any contractor or sub-contractor, or simulation thereof, during the time its name appears on said list."

<b>Name of Contractor</b>	<b>Name of Officer and Title</b>	<b>Address</b>	<b>Date of Conviction</b>	<b>Debarment Period</b>
Bruner Contracting Company	Cynthia Bruner	218 Delaware, Ste. 211 Kansas City, MO 64105	9/9/03	9/9/03-9/9/04
Cynthia Bruner	N/A	218 Delaware, Ste. 211 Kansas City, MO 64105	9/9/03	9/9/03-9/9/04

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

## NOTICE TO UNKNOWN CREDITORS OF ST. LOUIS REGIONAL HEALTH CARE CORPORATION

St. Louis Regional Health Care Corporation (the "Corporation"), has been dissolved pursuant to Section 355.681 of the Missouri Nonprofit Corporation Act by filing its Articles of Dissolution with the Missouri Secretary of State on July 16, 2004. Pursuant to Section 355.696 of the Missouri Nonprofit Corporation Act, any claims against the Corporation must be sent to:

St. Louis Regional Health Care Corporation  
c/o BCRA Co.  
211 N. Broadway, Suite 3600  
St. Louis, Missouri 63102

Claims submitted must include the following information: (1) claimant name, address, and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the creditor; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

**NOTICE: CLAIMS OF CREDITORS OF THE CORPORATION WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO (2) YEARS OF THE DATE OF THIS NOTICE.**

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## NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST **J.A. Podhorn, Sr., Properties, L.L.C.**, a Missouri limited liability company.

On July 26, 2004, **J.A. Podhorn, Sr., Properties, L.L.C.**, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up with the Secretary of State, effective as of the date of filing by the Secretary of State.

The Company requests that all persons and organizations with claims against it present to them immediately, by letter, to the attention of: PHYLLIS J. ZERR, 1775 St. Peters-Cottleville Rd., St. Peters, MO 63376. Each claim must include the following information: the name, address, and telephone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after publication of this notice.

**PHYLLIS J. ZERR**, Managing Member of  
**J.A. Podhorn, Sr., Properties, L.L.C.**,

## Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—27 (2002), 28 (2003) and 29 (2004). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	<b>OFFICE OF ADMINISTRATION</b> State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557		
1 CSR 15-3.350	Administrative Hearing Commission		29 MoReg 1048		
1 CSR 15-3.380	Administrative Hearing Commission		29 MoReg 1049		
1 CSR 15-3.420	Administrative Hearing Commission		29 MoReg 1049		
1 CSR 15-3.440	Administrative Hearing Commission		29 MoReg 1049		
1 CSR 15-3.480	Administrative Hearing Commission		29 MoReg 1050		
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel		29 MoReg 577	29 MoReg 1248	
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-1.010	Animal Health		29 MoReg 584	This Issue	
2 CSR 30-1.020	Animal Health		29 MoReg 584	This Issue	
2 CSR 30-2.020	Animal Health	29 MoReg 571	29 MoReg 584		
2 CSR 30-2.040	Animal Health	29 MoReg 572	29 MoReg 585		
2 CSR 30-3.020	Animal Health	29 MoReg 573	29 MoReg 586		
2 CSR 30-6.020	Animal Health	29 MoReg 573	29 MoReg 586		
2 CSR 80-5.010	State Milk Board		29 MoReg 709	29 MoReg 1248	
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-5.205	Conservation Commission		29 MoReg 885	29 MoReg 1248	
3 CSR 10-5.352	Conservation Commission		29 MoReg 885	29 MoReg 1248	
3 CSR 10-5.353	Conservation Commission		29 MoReg 886R	29 MoReg 1249R	
3 CSR 10-5.425	Conservation Commission		29 MoReg 886	29 MoReg 1249	
3 CSR 10-5.552	Conservation Commission		29 MoReg 888	29 MoReg 1249	
3 CSR 10-5.553	Conservation Commission		29 MoReg 888R	29 MoReg 1249R	
3 CSR 10-5.554	Conservation Commission		29 MoReg 888	29 MoReg 1249	
3 CSR 10-7.410	Conservation Commission		This Issue		
3 CSR 10-7.440	Conservation Commission		N.A.	29 MoReg 1249	
3 CSR 10-7.450	Conservation Commission		29 MoReg 1091		
3 CSR 10-7.455	Conservation Commission		29 MoReg 890	This Issue	
3 CSR 10-9.565	Conservation Commission		29 MoReg 590	29 MoReg 1058	
3 CSR 10-10.725	Conservation Commission		29 MoReg 164	29 MoReg 741	
			N.A.	29 MoReg 1108	
3 CSR 10-11.186	Conservation Commission		29 MoReg 1091		
3 CSR 10-12.130	Conservation Commission		29 MoReg 1092		
3 CSR 10-12.140	Conservation Commission		29 MoReg 1092		
3 CSR 10-12.155	Conservation Commission		29 MoReg 1092		
3 CSR 10-20.805	Conservation Commission		29 MoReg 590	29 MoReg 1058	
			29 MoReg 1093		
			This Issue		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 15-1.030	Acupuncturist Advisory Committee		29 MoReg 627	29 MoReg 1199	
4 CSR 15-2.020	Acupuncturist Advisory Committee		29 MoReg 629	29 MoReg 1199	
4 CSR 15-3.010	Acupuncturist Advisory Committee		29 MoReg 629	29 MoReg 1199	
4 CSR 15-4.020	Acupuncturist Advisory Committee		29 MoReg 630	29 MoReg 1199	
4 CSR 30-2.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		29 MoReg 632	29 MoReg 1250W	
4 CSR 30-11.025	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		29 MoReg 632	29 MoReg 1200	
4 CSR 40-2.021	Office of Athletics		29 MoReg 1093		
4 CSR 40-5.030	Office of Athletics		29 MoReg 1094		
4 CSR 65-1.020	Endowed Care Cemeteries		29 MoReg 1161R		
4 CSR 65-1.030	Endowed Care Cemeteries		29 MoReg 1161		
4 CSR 65-1.050	Endowed Care Cemeteries		29 MoReg 1162		
4 CSR 65-2.010	Endowed Care Cemeteries		29 MoReg 1162		
4 CSR 70-2.031	State Board of Chiropractic Examiners		29 MoReg 711	29 MoReg 1251	
4 CSR 90-2.010	State Board of Cosmetology		This Issue		
4 CSR 90-2.020	State Board of Cosmetology		This Issue		
4 CSR 90-2.030	State Board of Cosmetology		This Issue		
4 CSR 90-4.010	State Board of Cosmetology		This Issue		
4 CSR 90-13.010	State Board of Cosmetology		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 100	Division of Credit Unions				29 MoReg 680 29 MoReg 859 29 MoReg 920 29 MoReg 1061 This Issue
4 CSR 110-2.085	Missouri Dental Board		29 MoReg 1162		
4 CSR 110-2.111	Missouri Dental Board		29 MoReg 1163		
4 CSR 110-2.130	Missouri Dental Board		29 MoReg 890		
4 CSR 110-3.010	Missouri Dental Board		29 MoReg 636	29 MoReg 1200	
4 CSR 110-3.020	Missouri Dental Board		29 MoReg 636	29 MoReg 1200	
4 CSR 110-3.030	Missouri Dental Board		29 MoReg 636	29 MoReg 1200	
4 CSR 110-3.040	Missouri Dental Board		29 MoReg 640	29 MoReg 1200	
4 CSR 110-3.050	Missouri Dental Board		29 MoReg 640	29 MoReg 1200	
4 CSR 120-2.080	State Board of Embalmers and Funeral Directors		29 MoReg 193 29 MoReg 890	29 MoReg 915W 29 MoReg 1252	
4 CSR 150-2.125	State Board of Registration for the Healing Arts		29 MoReg 781	This Issue	
4 CSR 150-2.153	State Board of Registration for the Healing Arts		29 MoReg 781		
4 CSR 150-4.040	State Board of Registration for the Healing Arts		29 MoReg 785	This Issue	
4 CSR 150-4.053	State Board of Registration for the Healing Arts		29 MoReg 785	This Issue	
4 CSR 150-4.205	State Board of Registration for the Healing Arts		29 MoReg 785	This Issue	
4 CSR 165-2.010	Board of Examiners for Hearing Instrument Specialists		29 MoReg 641	29 MoReg 1201	
4 CSR 200-4.020	State Board of Nursing		29 MoReg 641	29 MoReg 1201	
4 CSR 205-4.010	Missouri Board of Occupational Therapy		29 MoReg 1164		
4 CSR 210-2.080	State Board of Optometry		29 MoReg 642	29 MoReg 1201	
4 CSR 210-2.081	State Board of Optometry		29 MoReg 643R	29 MoReg 1201R	
4 CSR 220-2.100	State Board of Pharmacy		29 MoReg 713	29 MoReg 1252	
4 CSR 220-3.040	State Board of Pharmacy		29 MoReg 970		
4 CSR 220-4.010	State Board of Pharmacy		29 MoReg 973		
4 CSR 220-4.020	State Board of Pharmacy		29 MoReg 973R		
4 CSR 235-1.020	State Committee of Psychologists		29 MoReg 643	29 MoReg 1201	
4 CSR 235-1.050	State Committee of Psychologists		29 MoReg 644	29 MoReg 1201	
4 CSR 240-3.020	Public Service Commission		29 MoReg 717		
4 CSR 240-3.510	Public Service Commission		29 MoReg 717		
4 CSR 240-3.520	Public Service Commission		29 MoReg 718		
4 CSR 240-3.525	Public Service Commission		29 MoReg 721		
4 CSR 240-3.530	Public Service Commission		29 MoReg 724		
4 CSR 240-3.535	Public Service Commission		29 MoReg 727		
4 CSR 240-3.545	Public Service Commission		29 MoReg 369R 29 MoReg 369	29 MoReg 1252R 29 MoReg 1252	
4 CSR 240-3.555	Public Service Commission		29 MoReg 374	29 MoReg 1256	
4 CSR 240-3.560	Public Service Commission		29 MoReg 730		
4 CSR 240-3.565	Public Service Commission		29 MoReg 730		
4 CSR 240-13.015	Public Service Commission		29 MoReg 731	This Issue	
4 CSR 240-13.055	Public Service Commission		29 MoReg 786		
4 CSR 240-32.060	Public Service Commission		28 MoReg 2147		
4 CSR 240-32.200	Public Service Commission	29 MoReg 459	29 MoReg 646	29 MoReg 1257	
4 CSR 240-33.010	Public Service Commission		29 MoReg 374	29 MoReg 1259	
4 CSR 240-33.020	Public Service Commission		29 MoReg 374	29 MoReg 1259	
4 CSR 240-33.030	Public Service Commission		29 MoReg 376R	29 MoReg 1260R	
4 CSR 240-33.040	Public Service Commission		29 MoReg 376	29 MoReg 1260	
4 CSR 240-33.060	Public Service Commission		29 MoReg 377	29 MoReg 1261	
4 CSR 240-33.070	Public Service Commission		29 MoReg 381	29 MoReg 1263	
4 CSR 240-33.080	Public Service Commission		29 MoReg 381	29 MoReg 1264	
4 CSR 240-33.110	Public Service Commission		29 MoReg 461	29 MoReg 1264	
4 CSR 240-33.150	Public Service Commission		29 MoReg 382	29 MoReg 1265	
4 CSR 240-33.160	Public Service Commission		29 MoReg 732		
4 CSR 240-36.010	Public Service Commission		29 MoReg 197	29 MoReg 1108	
4 CSR 240-36.020	Public Service Commission		29 MoReg 197	29 MoReg 1108	
4 CSR 240-36.030	Public Service Commission		29 MoReg 198	29 MoReg 1108	
4 CSR 240-36.040	Public Service Commission		29 MoReg 199	29 MoReg 1112	
4 CSR 240-36.050	Public Service Commission		29 MoReg 202	29 MoReg 1117	
4 CSR 240-36.060	Public Service Commission		29 MoReg 203	29 MoReg 1119W	
4 CSR 240-36.070	Public Service Commission		29 MoReg 203	29 MoReg 1119W	
4 CSR 240-36.080	Public Service Commission		29 MoReg 204	29 MoReg 1120W	
4 CSR 240-120.085	Public Service Commission		29 MoReg 1164		
4 CSR 240-120.135	Public Service Commission		29 MoReg 1167R		
4 CSR 240-121.185	Public Service Commission		29 MoReg 1167R		
4 CSR 240-123.075	Public Service Commission		29 MoReg 1167R		
4 CSR 240-123.095	Public Service Commission		29 MoReg 1167		
4 CSR 245-4.060	Real Estate Appraisers		29 MoReg 1170		
4 CSR 245-5.020	Real Estate Appraisers		29 MoReg 1173		
4 CSR 245-5.030	Real Estate Appraisers		29 MoReg 1175		
4 CSR 245-9.010	Real Estate Appraisers		29 MoReg 1175		
4 CSR 263-1.035	State Committee for Social Workers		29 MoReg 651	29 MoReg 1202	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 263-2.032	State Committee for Social Workers		29 MoReg 653	29 MoReg 1202	
4 CSR 263-2.045	State Committee for Social Workers		29 MoReg 653	29 MoReg 1202	
4 CSR 263-2.047	State Committee for Social Workers		29 MoReg 654	29 MoReg 1202	
4 CSR 263-2.060	State Committee for Social Workers		29 MoReg 654	29 MoReg 1202	
4 CSR 263-2.062	State Committee for Social Workers		29 MoReg 654	29 MoReg 1203	
4 CSR 263-2.082	State Committee for Social Workers		29 MoReg 1175		
4 CSR 263-2.085	State Committee for Social Workers		29 MoReg 655	29 MoReg 1203	
4 CSR 263-2.090	State Committee for Social Workers		29 MoReg 655	29 MoReg 1203	
4 CSR 263-3.010	State Committee for Social Workers		29 MoReg 1180		
4 CSR 263-3.020	State Committee for Social Workers		29 MoReg 655	29 MoReg 1203	
4 CSR 263-3.040	State Committee for Social Workers		29 MoReg 656	29 MoReg 1203	
4 CSR 263-3.060	State Committee for Social Workers		29 MoReg 1180		
4 CSR 263-3.080	State Committee for Social Workers		29 MoReg 1180		
4 CSR 263-3.100	State Committee for Social Workers		29 MoReg 1181		
4 CSR 263-3.120	State Committee for Social Workers		29 MoReg 1182		
4 CSR 263-3.140	State Committee for Social Workers		29 MoReg 657	29 MoReg 1204	
4 CSR 265-2.060	Division of Motor Carrier and Railroad Safety				This Issue
4 CSR 270-4.042	Missouri Veterinary Medical Board		29 MoReg 1182		
4 CSR 270-4.050	Missouri Veterinary Medical Board		29 MoReg 1183		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 30-4.030	Division of Administrative and Financial Services				29 MoReg 1218
5 CSR 50-345.020	Division of School Improvement				29 MoReg 859
5 CSR 50-345.100	Division of School Improvement		29 MoReg 1183		
5 CSR 50-345.200	Division of School Improvement		29 MoReg 1186		
5 CSR 80-805.015	Teacher Quality and Urban Education		29 MoReg 791		
5 CSR 80-805.016	Teacher Quality and Urban Education		29 MoReg 793R		
5 CSR 90-5.400	Vocational Rehabilitation		29 MoReg 1187		
5 CSR 90-5.460	Vocational Rehabilitation		29 MoReg 1187		
5 CSR 90-5.470	Vocational Rehabilitation		29 MoReg 1188		
5 CSR 90-7.010	Vocational Rehabilitation		29 MoReg 1051		
5 CSR 90-7.100	Vocational Rehabilitation		29 MoReg 1051		
5 CSR 90-7.200	Vocational Rehabilitation		29 MoReg 1052		
5 CSR 90-7.300	Vocational Rehabilitation		29 MoReg 1052		
5 CSR 90-7.310	Vocational Rehabilitation		29 MoReg 1053		
5 CSR 90-7.320	Vocational Rehabilitation		29 MoReg 1053		
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing	29 MoReg 963			
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-1.020	Missouri Highways and Transportation Commission		29 MoReg 384	29 MoReg 1120	
7 CSR 10-17.010	Missouri Highways and Transportation Commission		28 MoReg 1563		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-3.010	Division of Employment Security		29 MoReg 793	This Issue	
8 CSR 10-3.020	Division of Employment Security		29 MoReg 794R	This IssueR	
8 CSR 30-3.060	Division of Labor Standards		29 MoReg 1192		
8 CSR 70-1.010	Missouri Assistive Technology Advisory Council		29 MoReg 462	29 MoReg 1058	
8 CSR 70-1.020	Missouri Assistive Technology Advisory Council		29 MoReg 463	29 MoReg 1058	
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-5.190	Director, Department of Mental Health		29 MoReg 735	29 MoReg 1265	
9 CSR 10-5.200	Director, Department of Mental Health		29 MoReg 1054		
9 CSR 10-5.210	Director, Department of Mental Health		29 MoReg 794	This Issue	
9 CSR 30-3.201	Certification Standards		29 MoReg 1096		
9 CSR 30-3.202	Certification Standards		29 MoReg 1096		
9 CSR 30-3.204	Certification Standards		29 MoReg 1097		
9 CSR 30-3.206	Certification Standards		29 MoReg 1097		
9 CSR 30-3.208	Certification Standards		29 MoReg 1099		
9 CSR 30-4.195	Certification Standards				This Issue
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-6.060	Air Conservation Commission		29 MoReg 974		
10 CSR 10-6.061	Air Conservation Commission		29 MoReg 1193		
10 CSR 10-6.110	Air Conservation Commission		29 MoReg 976		
10 CSR 10-6.120	Air Conservation Commission		29 MoReg 1196		
10 CSR 10-6.240	Air Conservation Commission		29 MoReg 303R	29 MoReg 1204R	
10 CSR 10-6.241	Air Conservation Commission		29 MoReg 303	29 MoReg 1204	
10 CSR 10-6.250	Air Conservation Commission		29 MoReg 307	29 MoReg 1208	
10 CSR 10-6.410	Air Conservation Commission		29 MoReg 985		
10 CSR 25-17.010	Hazardous Waste Management Commission		29 MoReg 794		
10 CSR 25-17.020	Hazardous Waste Management Commission		29 MoReg 795		
10 CSR 25-17.030	Hazardous Waste Management Commission		29 MoReg 796		
10 CSR 25-17.040	Hazardous Waste Management Commission		29 MoReg 797		
10 CSR 25-17.050	Hazardous Waste Management Commission		29 MoReg 803		
10 CSR 25-17.060	Hazardous Waste Management Commission		29 MoReg 810		
10 CSR 25-17.070	Hazardous Waste Management Commission		29 MoReg 810		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 25-17.080	Hazardous Waste Management Commission		29 MoReg 817		
10 CSR 25-17.090	Hazardous Waste Management Commission		29 MoReg 824		
10 CSR 25-17.100	Hazardous Waste Management Commission		29 MoReg 830		
10 CSR 25-17.110	Hazardous Waste Management Commission		29 MoReg 830		
10 CSR 25-17.120	Hazardous Waste Management Commission		29 MoReg 831		
10 CSR 25-17.130	Hazardous Waste Management Commission		29 MoReg 832		
10 CSR 25-17.140	Hazardous Waste Management Commission		29 MoReg 832		
10 CSR 25-17.150	Hazardous Waste Management Commission		29 MoReg 833		
10 CSR 25-17.160	Hazardous Waste Management Commission		29 MoReg 839		
10 CSR 25-17.170	Hazardous Waste Management Commission		29 MoReg 839		
10 CSR 40-10.020	Land Reclamation Commission		29 MoReg 204	29 MoReg 1210	
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22 CSR 10-1.020	Health Care Plan		29 MoReg 208	29 MoReg 1060	

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## Department of Economic Development

### Public Service Commission

**4 CSR 240-32.200** General Provisions for the Assignment, Provision and Termination of 211 Service . . . . . 29 MoReg 459 . . . . .September 10, 2004

## Department of Elementary and Secondary Education

### Missouri Commission for the Deaf and Hard of Hearing

**5 CSR 100-200.045** Temporary Restricted Certification in Education . . . . . 29 MoReg 963 . . . . .November 27, 2004

## Department of Social Services

### Family Support Division

**13 CSR 40-2.375** Medical Assistance for Families . . . . . 29 MoReg 1089 . . . . .December 27, 2004

### Division of Medical Services

**13 CSR 70-10.015** Prospective Reimbursement Plan for Nursing Facility Services . . . . . 29 MoReg 1155 . . . . .December 15, 2004

**13 CSR 70-10.080** Prospective Reimbursement Plan for HIV Nursing Facility Services . . . 29 MoReg 1156 . . . . .December 15, 2004

**13 CSR 70-15.110** Federal Reimbursement Allowance (FRA) . . . . . 29 MoReg 1089 . . . . .December 13, 2004



**Executive  
Orders****Subject Matter****2004****Filed Date****Publication**

<b>04-01</b>	Establishes the Public Safety Officer Medal of Valor, and the Medal of Valor Review Board	February 3, 2004	29 MoReg 294
<b>04-02</b>	Designates staff having supervisory authority over agencies	February 3, 2004	29 MoReg 297
<b>04-03</b>	Creates the Missouri Automotive Partnership	January 14, 2004	29 MoReg 151
<b>04-04</b>	Creates the Missouri Methamphetamine Education and Prevention Task Force	January 27, 2004	29 MoReg 154
<b>04-05</b>	Establishes a Missouri Methamphetamine Treatment Task Force	January 27, 2004	29 MoReg 156
<b>04-06</b>	Establishes a Missouri Methamphetamine Enforcement and Environmental Protection Task Force	January 27, 2004	29 MoReg 158
<b>04-07</b>	Establishes the Missouri Commission on Patient Safety and supercedes Executive Order 03-16	February 3, 2004	29 MoReg 299
<b>04-08</b>	Transfers the Governor's Council on Disability and the Missouri Assistive Technology Advisory Council to the Office of Administration	February 3, 2004	29 MoReg 301
<b>04-09</b>	Requires vendors to disclose services performed offshore. Restricts agencies in awarding contracts to vendors of offshore services	March 17, 2004	29 MoReg 533
<b>04-10</b>	Grants authority to Director of Department of Natural Resources to temporarily waive regulations during periods of emergency and recovery	May 28, 2004	29 MoReg 965
<b>04-11</b>	Declares regional state of emergency because of the need to repair electrical outages by various contractors, including a Missouri contractor. Allows temporary exemption from federal regulations	May 28, 2004	29 MoReg 967
<b>04-12</b>	Declares emergency conditions due to severe weather in all Northern and Central Missouri counties	June 4, 2004	29 MoReg 968
<b>04-13</b>	Declares June 11, 2004 to be day of mourning for President Ronald Reagan	June 7, 2004	29 MoReg 969
<b>04-14</b>	Establishes an Emancipation Day Commission. Requests regular observance of Emancipation Proclamation on June 19	June 17, 2004	29 MoReg 1045
<b>04-15</b>	Declares state of emergency due to lost electrical service in St. Louis region	July 7, 2004	29 MoReg 1159
<b>04-16</b>	Orders a special census be taken in the City of Licking	July 23, 2004	29 MOReg 1245
<b>04-17</b>	Declares that Missouri implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Florida	August 18, 2004	Next Issue

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<b>03-01</b>	Reestablishes the Missouri Lewis and Clark Bicentennial Commission	February 3, 2003	28 MoReg 296
<b>03-02</b>	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
<b>03-03</b>	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
<b>03-04</b>	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
<b>03-05</b>	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
<b>03-06</b>	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
<b>03-07</b>	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
<b>03-08</b>	Lists Governor's staff who have supervisory authority over departments	September 4, 2003	28 MoReg 1556
<b>03-09</b>	Lists Governor's staff who have supervisory authority over departments	March 18, 2003	28 MoReg 633
<b>03-10</b>	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
<b>03-11</b>	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
<b>03-12</b>	Declares disaster areas due to May 4 tornadoes	May 5, 2003	28 MoReg 950
<b>03-13</b>	Calls National Guard to assist in areas harmed by the May 4 tornadoes	May 5, 2003	28 MoReg 952
<b>03-14</b>	Temporarily suspends enforcement of environmental rules due to the May 4th [et al.] tornadoes	May 7, 2003	28 MoReg 954
<b>03-15</b>	Establishes the Missouri Small Business Regulatory Fairness Board	August 25, 2003	28 MoReg 1477
<b>03-16</b>	Establishes the Missouri Commission on Patient Safety	October 1, 2003	28 MoReg 1760
<b>03-17</b>	Creates the Governor's Committee to End Chronic Homelessness	October 8, 2003	28 MoReg 1899
<b>03-18</b>	Designates the Missouri State Highway Patrol within the Department of Public Safety as lead agency in state communications	December 10, 2003	29 MoReg 7
<b>03-19</b>	Creates the Public Safety Communications Committee	December 10, 2003	29 MoReg 9
<b>03-20</b>	Requires configuration of two-way radios used by agencies of the state of Missouri to include established interoperability channels as specified by the State Interoperability Executive Committee	December 10, 2003	29 MoReg 12
<b>03-21</b>	Closes state offices Friday, November 28 and Friday, December 26, 2003	October 24, 2003	28 MoReg 1989
<b>03-22</b>	Establishes the Missouri Sexual Offender Registration Task Force	December 10, 2003	29 MoReg 14

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<b>03-23</b>	Adds the functions of a State Citizen Council to the Disaster Recovery Partnership	December 10, 2003	29 MoReg 16
<b>03-24</b>	Establishes the Governor's Commission on Hispanic Affairs	November 8, 2003	28 MoReg 2085
<b>03-25</b>	Requires state agencies to adopt cyber security policies and procedures. Designates the Office of Information Technology as principal forum to improve policies and procedures	December 10, 2003	29 MoReg 18
<b>03-26</b>	Reestablishes the Office of Information Technology as the mechanism for coordinating information technology initiatives for the state	December 10, 2003	29 MoReg 21
<b>03-27</b>	Use of Missouri products and services	December 2, 2003	28 MoReg 2209

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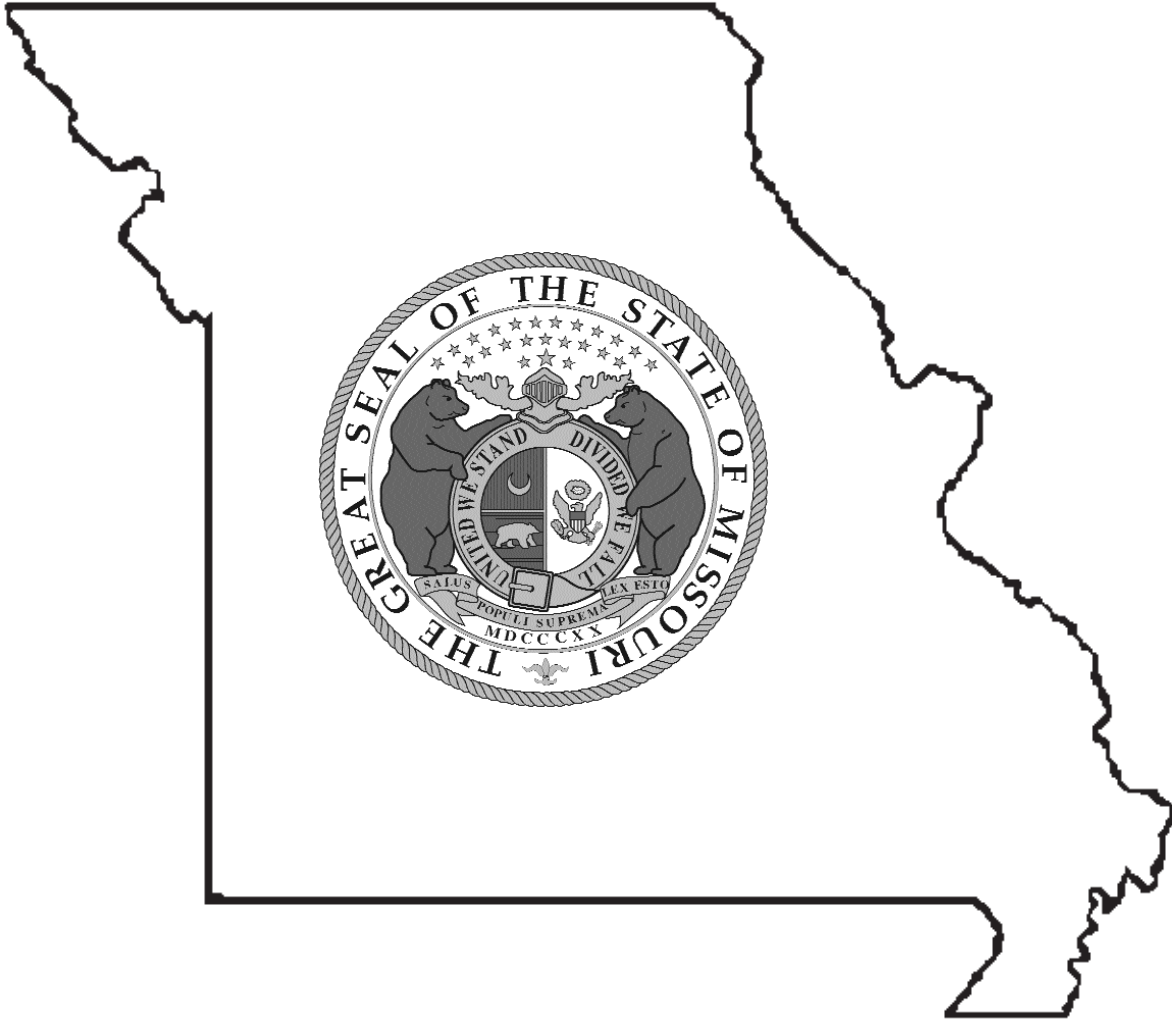
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# RULEMAKING 1-2-3

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