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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



MATT BLUNT

SECRETARY OF STATE

MISSOURI
REGISTER

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SECRETARY OF STATE

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

HEATHER M. KAMPETER

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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. 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. 28, *Missouri Register*, page 27. The approved short form of citation is 28 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 within 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—The most recent version of the statute containing the section number and the date.



Office of the Secretary of State

MATT BLUNT



*A Very Merry
Christmas and a
Happy New Year*

The Administrative Rules Staff wants to take this opportunity to extend to each of you our best wishes for a blessed holiday season!! We hope your Christmas will be bright and your New Year a happy, safe and prosperous one.

Heather M. Kampeter

Jim M. Chue

Mary M. Davis

Barbara McDaniel

Cathy P. Hoad

Sally Reid

William Hyblange

Lynne C. Angle

Lynne C. Angle
Director, Administrative Rules Division

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.

interested persons and parties under the circumstances. This emergency amendment was filed November 8, 2004, effective November 18, 2004, and expires May 16, 2005.

(1) Eligibility for Certification and Service Delivery. Prior to delivering opioid treatment services, an agency must apply for and receive provisional certification from the department.

(B) An agency applying for provisional certification as an opioid treatment program in the state of Missouri must have provided other certified alcohol and drug services within the state for two (2) years prior to the application. **Agencies responding to a department-funded request for proposal will be exempt from this requirement.**

AUTHORITY: sections 630.655 and 631.102, RSMo 2000. This rule originally filed as 9 CSR 30-3.610. Original rule filed May 13, 1983, effective Sept. 13, 1983. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Nov. 8, 2004, effective Nov. 18, 2004, expires May 16, 2005. A proposed amendment covering this same material is published in this issue of the Missouri Register.

Title 9—DEPARTMENT OF MENTAL HEALTH Division 30—Certification Standards Chapter 3—Alcohol and Drug Abuse Programs

EMERGENCY AMENDMENT

9 CSR 30-3.132 Opioid Treatment Program. The department is amending subsection (1)(B).

PURPOSE: This amendment will exempt agencies from specific eligibility requirements for Opioid Treatment Programs.

EMERGENCY STATEMENT: This emergency amendment will allow a greater number of agencies to make bids on new contracts. Without this amendment, current clients may not receive the necessary treatment because of program closings. The public health, safety, or welfare is at stake due to the limited number of agencies allowed to submit proposals for new state funded requests for proposals. As a result the Department of Mental Health finds that there is a compelling governmental interest in filing an emergency amendment. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Mental Health thinks that this emergency amendment is fair to all

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2002.

**EXECUTIVE ORDER
04-28**

TO ALL DEPARTMENTS AND AGENCIES:

This is to advise that state offices will be closed Monday, January 10, 2005, for the inauguration.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6th day of December, 2004.

A handwritten signature in cursive script that reads "Bob Holden".

**Bob Holden
Governor**

ATTEST:

A handwritten signature in cursive script that reads "Matt Blunt".

**Matt Blunt
Secretary of State**