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SALUS POPULI SUPREMA LEX ESTO

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



JASON KANDER
SECRETARY OF STATE

MISSOURI
REGISTER

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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.

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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2110—Missouri Dental Board
Chapter 2—General Rules**

EMERGENCY AMENDMENT

20 CSR 2110-2.170 Fees. The board is proposing to amend subsection (1)(C).

PURPOSE: The Missouri Dental Board is statutorily obligated to enforce and administer the provisions of Chapter 332, RSMo. Pursuant to section 332.031, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 332 so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 332, RSMo.

EMERGENCY STATEMENT: The Missouri Dental Board is statutorily obligated to enforce and administer the provisions of sections 332.011 to 332.425, RSMo. Pursuant to section 332.031, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 332.011 to 332.364, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 332.011 to 332.425, RSMo. The board is proposing to decrease the biennial license renewal fee from two hundred twenty dollars (\$220) to one

hundred eighty dollars (\$180) for dentist and dental specialist and the biennial license renewal fee from one hundred dollars (\$100) to sixty dollars (\$60) for dental hygienist. This emergency amendment is necessary to allow the division to collect the decreased license fees. The renewal notices will be mailed September 1, 2014. Without this emergency amendment, the decreased fee requirements will not be effective prior to renewal notices being mailed and the board will collect more revenue than it is statutorily authorized to collect.

The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. In developing this emergency amendment, the division has determined that the fee decrease is necessary to prevent funds from exceeding the maximum fund balance as set forth in section 324.524, RSMo. Pursuant to section 324.001.1(1), Pursuant to Chapter 324.001.1(10), "A compelling governmental interest shall be deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue." The division believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed July 8, 2014, becomes effective July 18, 2014, and expires February 26, 2015.

- (1) The following fees are established by the Missouri Dental Board:
- | | |
|----------------------------------|---------------|
| (C) Biennial License Renewal Fee | |
| 1. Dentist License | [\$220] \$180 |
| 2. Dental Specialist License | [\$220] \$180 |
| 3. Dental Hygienist License | [\$100] \$ 60 |
| 4. Limited Teaching License | \$250 |

AUTHORITY: section 332.031.3., RSMo 2000. This rule originally filed as 4 CSR 110-2.170. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 6, 1981. Original rule filed June 30, 1981, effective Oct. 11, 1981. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed July 8, 2014, effective July 18, 2014, expires Feb. 26, 2015. A proposed amendment covering this same material is published in this issue of the *Missouri Register*.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 4—Fees Charged by the Board of Pharmacy**

EMERGENCY AMENDMENT

20 CSR 2220-4.010 General Fees. The Board of Pharmacy is proposing to amend subsections (1)(D) and (1)(Q).

PURPOSE: The Board of Pharmacy is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo, governing the practice of pharmacy. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Based on the board's five- (5-) year projections, the board finds it necessary to reduce renewal fees for Missouri pharmacists and pharmacist interns.

EMERGENCY STATEMENT: The Board of Pharmacy is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of Chapter 338, RSMo. Pursuant to section 338.070, RSMo, the board shall set the appropriate amount of fees by rule, so

that the revenue produced shall not substantially exceed the cost and expense of administering the provisions of Chapter 338, RSMo. Therefore, the board is proposing to decrease 2014 renewal fees for Missouri pharmacists from \$200 to \$50 and intern pharmacist renewal fees from \$80 to \$20. Pharmacist renewal notices will be mailed on August 1, 2014. Intern pharmacist renewal notices will be mailed October 1, 2014. Without this emergency amendment, the decreased fee requirements will not be effective prior to renewal notices being mailed and the board will collect more revenue than it is statutorily authorized to collect. The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. In developing this emergency amendment, the board has determined that the fee decrease is necessary for the 2014 renewal period to prevent funds from exceeding the maximum fund balance, thereby resulting in a transfer from the fund to general revenue as set forth in section 338.070.3, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The board believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed July 8, 2014, becomes effective July 18, 2014, and expires February 26, 2015.

(1) The following fees are established by the State Board of Pharmacy:

(D) Pharmacist License Renewal Fee	\$/200/ 50
(Q) Intern Pharmacist License Renewal	\$/80/ 20

AUTHORITY: sections 338.020, 338.035, 338.040, 338.060, 338.070, 338.185, **338.230, 338.270**, 338.280, and 338.350, RSMo 2000, and sections 338.140, 338.220, and 338.335, RSMo Supp. [2012] **2013**. This rule originally filed as 4 CSR 220-4.010. Emergency rule filed July 15, 1981, effective Aug. 3, 1981, expired Nov. 11, 1981. Original rule filed Aug. 10, 1981, effective Nov. 12, 1981. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed July 8, 2014, effective July 18, 2014, expires Feb. 26, 2015. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2013.

EXECUTIVE ORDER 14-07

WHEREAS, the State of Missouri is committed to enhancing the economic health and prosperity of socially and economically disadvantaged small business and women/minority business enterprises; and

WHEREAS, section 37.020.2, RSMo, states that “[t]he office of administration, in consultation with each department, shall establish and implement a plan to increase and maintain the participation of certified socially and economically disadvantaged small business concerns or minority business enterprises, directly or indirectly, in contracts for supplies, services, and construction contracts, consistent with goals determined after an appropriate study conducted to determine the availability of socially and economically disadvantaged small business concerns and minority business enterprises in the marketplace”; and

WHEREAS, the Office of Administration has commissioned a Disparity Study which will be completed by August 15, 2014; and

WHEREAS, analysis of the findings of the Disparity Study and the formulation of recommendations that will promote greater participation in state contracting by women/minority business enterprises is an important endeavor that will be aided by a diverse group of individuals who understand the governmental contracting process and the challenges faced by women/minority businesses in that process; and

WHEREAS, the appointment of a committee to thoughtfully review the findings of the Disparity Study and produce meaningful recommendations will assist the State of Missouri in developing a contracting process that is inclusive, promotes diversity and provides greater opportunity for women/minority business enterprises.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, under the authority vested in me under the constitution and the laws of the State of Missouri, do hereby establish the Disparity Study Oversight Review Committee.

The Disparity Study Oversight Review Committee shall consist of the following individuals:

- **Michael Middleton**, Deputy Chancellor, University of Missouri-Columbia
- **William “Bill” Thornton**, General Counsel, Missouri Department of Higher Education
- **John Truesdell**, Vice President, Rose International (Retired)
- **Dr. Valerie Blackmon**, Management Consultant, Blackmon Consulting
- **Charlotte Hardin**, Missouri Legislative Black Caucus Foundation Board
- **Lyle Randolph**, Vice President and General Manager, Isle Casino Cape Girardeau
- **Lisa Althoff**, Executive Director, Missouri Women’s Council
- **Theresa Garza Ruiz**, Political Director, Laborers’ Local #264

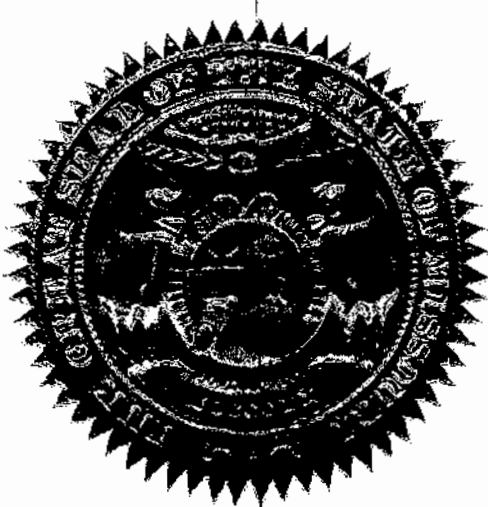
- **Nia Richardson**, Director of Business Development and Marketing, DuBois Consultants, Inc.
- **Rhonda Carter Adams**, Executive Director, St. Louis/Eastern Missouri Area Mid-States Minority Supplier Development Council
- **Anna Croslin**, President and Chief Executive Officer, International Institute of St. Louis
- **Redditt Hudson**, Regional Field Organizer, NAACP Region IV
- **State Representative Tommie Pierson**, Missouri House of Representatives District No. 66, Chairman of the Legislative Black Caucus
- **Karlos Ramirez**, Executive Director, Hispanic Chamber of Commerce of Metropolitan St. Louis
- **Leonard Toenjes**, President, Associated General Contractors of St. Louis

The Disparity Study Oversight Review Committee is assigned for administrative purposes to the Office of Administration and the Commissioner of Administration is authorized to reimburse such expenses of the Committee as deemed appropriate.


The Disparity Study Oversight Review Committee shall engage in a thorough review and analysis of the Disparity Study and shall develop appropriate recommendations designed to increase the participation of women/minority business enterprises, directly or indirectly, in state contracts. The Commissioner of Administration may assign such additional duties as deemed necessary to accomplish the goals of the Committee.

The Disparity Study Oversight Review Committee shall present to the Governor and Commissioner of Administration by December 31, 2014, a report containing an analysis of the Disparity Study and its recommendations to increase participation by socially and economically disadvantaged small business concerns and women/minority business enterprises in state contracting.

This Executive Order shall expire on December 31, 2014, unless extended by subsequent Order.



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 2nd day of July, 2014.


Jeremiah W. (Jay) Nixon
Governor

ATTEST:


Jason Kander
Secretary of State