Rules of
Department of Economic Development
Division 65—Endowed Care Cemeteries
Chapter 1—Organization and Description

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 CSR 65-1.010 Application for Cemetery Registration</td>
<td>3</td>
</tr>
<tr>
<td>4 CSR 65-1.020 Cemetery Advisory Committee</td>
<td>3</td>
</tr>
<tr>
<td>4 CSR 65-1.030 Definitions</td>
<td>3</td>
</tr>
<tr>
<td>4 CSR 65-1.040 Name and Address Changes</td>
<td>3</td>
</tr>
<tr>
<td>4 CSR 65-1.050 Complaint Handling and Disposition</td>
<td>3</td>
</tr>
<tr>
<td>4 CSR 65-1.060 Fees</td>
<td>4</td>
</tr>
</tbody>
</table>
Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 65—Endowed Care
Cemeteries
Chapter 1—Organization and
Description

4 CSR 65-1.010 Application for Cemetery
Registration

Emergency rule filed Aug. 3, 1995, effective

4 CSR 65-1.020 Cemetery Advisory
Committee

PURPOSE: This rule defines the Endowed
Care Cemetery Advisory Committee.

(1) The Endowed Care Cemetery Advisory
Committee shall be composed of three (3)
registered endowed care cemetery owners or
managers and two (2) public members.

(2) The public members shall not be regist-
ered endowed care cemetery owners or
managers or shall not be married to a cemetery
owner or manager or be associated, in any
way, with death care.

(3) The committee shall include two (2) own-
ers or managers, from privately held or
owned cemeteries, one (1) owner of a pub-
licly traded or listed cemetery, and two (2)
public members.

(4) The committee members shall be
appointed by the director of the Division of
Professional Registration and shall serve four
(4)-year terms, except that the first committee
appointed shall consist of two (2) members
who shall be appointed for two (2) years,
(4) years, two (2) members who shall be appointed for three
(3) years, and one (1) member who shall be
appointed for two (2) years.

(5) A vacancy in the office of a member shall
be filled by appointment of the director of the
Division of Professional Registration for the
remainder of the unexpired term. The direc-
tor may remove a committee member for mis-
conduct, incompetence, neglect, or for miss-
ing three (3) committee meetings.

(6) The advisory committee shall be respon-
sible for advising the director of the Division
of Professional Registration on the mission of
protecting the public, including innovations
and other duties assigned to them by the
director of the Division of Professional
Registration.

(7) Each member of the committee may
receive as compensation, an amount set by
the division, not to exceed fifty dollars ($50)
for each day devoted to affairs of the com-
mittee and shall be reimbursed for necessary
and actual expenses incurred in the perfor-
mance of his/her official duties.

(8) The committee shall meet at least twice
each year and shall report all actions of the
committee to the director of the Division of
Professional Registration. Annually, the com-
mittee shall elect a chairperson and vice-
chairperson by a majority of committee mem-
ber votes and in the absence of the chairper-
on, the vice-chairperson shall preside.

PURPOSE: This rule defines terms used in 4
CSR 65.

(1) Applicant—an individual submitting an
application for a certificate of authority.

(2) Committee—the Endowed Care Cemetery
Advisory Committee.

(3) Division—the Division of Professional
Registration.

(4) FDIC—Federal Deposit Insurance
Corporation.

(5) Office—Office of Endowed Care
Cemeteries.

AUTHORITY: sections 214.280, RSMo Supp.
1999 and 214.392, RSMo 1994.* Original
rule filed Sept. 11, 1997, effective March 30,
1998. Amended: Filed April 14, 2000, effec-


4 CSR 65-1.030 Definitions

PURPOSE: This rule establishes a proce-
dure for the receipt, handling and disposition
of public complaints pursuant to the mandate
of section 620.010.15(6), RSMo.

---

MATT BLUNT (2/28/02)
Secretary of State

CODE OF STATE REGULATIONS

3
(1) The Division of Professional Registration, in coordination with the Endowed Care Cemetery Advisory Committee, will receive and process each complaint made against any holder of a certificate of authority in which the complaint alleges certain acts or practices that may constitute one (1) or more violations of provisions of sections 214.270–214.516, RSMo, or administrative rules. No member of the Endowed Care Cemetery Advisory Committee may file a complaint with the division or committee while holding office, unless that member is excused from further committee deliberation or activity concerning the matters alleged within that complaint. Any division staff member or committee member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints shall be mailed or delivered to the following address: Office of Endowed Care Cemeteries, 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, MO 65102.

(3) All complaints shall be made in writing on a form provided by the division and shall fully identify the complainant by name and address. Verbal or telephone communication will not be considered or processed as complaints, however, the person making such communication will be asked to supplement the communication with a written complaint. Complaints may be based upon personal knowledge, or upon information and belief, reciting information received from other sources. Individuals with special needs, as addressed by the Americans with Disabilities Act, may notify the committee office at (573) 751-0849 for assistance. The text for the hearing impaired is (800) 735-2966.

(4) Each complaint received under this rule will be logged and maintained by the division. The log will contain a record of each complainant’s name; the name and address of the subject(s) of the complaint; the date each complaint was received by the division/committee; a brief statement concerning the alleged acts or practices and the ultimate disposition of the complaint. This log shall be a closed record of the committee.

(5) Each complaint received under this rule shall be acknowledged in writing. The complainant and licensee shall be notified of the ultimate disposition of the complaint.

(6) This rule shall not be deemed to limit the authority to file a complaint with the Administrative Hearing Commission charging the committee’s licensee with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the committee.

(7) The division interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the committee. This rule is not deemed to protect, or inure the benefit of those licensees or other persons against whom the committee has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 214.270–214.516, RSMo.


### 4 CSR 65-1.060 Fees

**PURPOSE:** This rule establishes fees for the Division of Professional Registration and the Endowed Care Cemetery Advisory Committee.

(1) The division establishes the following fees which are nonrefundable:

- **A** Election to Operate Fee $ 25.00
- **B** Original Licensing Fee (Endowed Care Cemetery) $250.00
- **C** Original Licensing Fee (Nonendowed Care Cemetery) $100.00
- **D** Copy of Register Fee (plus $.25 per page) $ 5.00
- **E** Insufficient Funds Fee Charge $ 25.00
- **F** Annual Renewal Fee (Endowed Care Cemetery and Nonendowed Care Cemetery) (plus $1.00 for each internment, inurnment or other disposition of human remains) $ 50.00
- **G** Reinstatement Fee $200.00

(2) All fees are nonrefundable.

(3) The provisions of this rule hereby are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of the rule shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.
