

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 193—Interior Design Council  
Chapter 4—Fees**

**PROPOSED RULE**

**4 CSR 193-4.010 Fees**

*PURPOSE: This rule establishes and fixes the various fees and charges for the Interior Design Council.*

(1) All fees shall be paid by cashier's check, money order, personal check, or other method approved by the division and must be made payable to the Interior Design Council.

(2) No fee will be refunded should any license be surrendered, suspended or revoked during the term for which the license is issued.

(3) The fees are established as follows:

(A) Application Fee	\$75.00
(B) Initial Registration Fee	\$250.00
(C) Reciprocity Fee	\$250.00
(D) Biennial Renewal Fee	\$250.00
(E) Reinstatement Fee	\$ 75.00

(4) The council may prorate the initial registration fee in order to put all licensees on a biennial renewal.

(5) The following miscellaneous fees for certain services rendered by the Interior Design Council are established as follows:

(A) Duplicate License Fee	\$10.00
(B) Replacement Wall-Hanging Certificate Fee	\$15.00

(6) Payment of any copying fee and search may be required before any information will be provided.

(7) All fees are nonrefundable.

*AUTHORITY: sections 324.409, 324.412, 324.415, 324.418, 324.421 and 324.424, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate. The costs associated with the fees set by this rule are accounted for in the fiscal notes of the rules requiring payment.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Interior Design Council, Judith Kolb, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 193—Interior Design Council  
Chapter 5—Continuing Education**

**PROPOSED RULE**

**4 CSR 193-5.010 Requirements**

*PURPOSE: This rule details the continuing education that will be required for renewal of a license to practice as a commercial interior designer.*

(1) Approved or verifiable continuing education in commercial interior design shall be courses approved by the Interior Design Continuing Education Council (IDCEC) or by the Interior Design Council.

(2) Approved or verifiable continuing education in architecture shall be courses as approved by the American Institute of Architects (AIA).

(3) A licensee shall provide verification of completion of continuing education during the prior license period by affidavit on a form provided by the council at the time of renewal. The affidavit must contain a truthful statement of courses approved by the council and taken by the licensee. Licensees shall maintain their evidence of course participation or course completion certificates/transcripts for a period of five (5) years from the date the licensee's application for renewal and affidavit of continuing education was submitted to the council. Such evidence must be submitted upon request by the council.

(4) Hours obtained in excess of the requirement for continuing education shall not be carried forward to satisfy the requirements for any subsequent renewal period.

(5) Hours obtained after the certificate renewal date in order to complete the continuing education requirement for the prior renewal period may not be applied to the license period within which they were obtained.

*AUTHORITY: sections 324.412 and 324.418, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.*

*PUBLIC COST: This proposed rule is estimated to cost the Interior Design Council \$2,362 biennially for the life of the rule. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: This proposed rule will cost private entities an estimated \$75,165 biennially for the life of the rule. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Interior Design Council, Judith Kolb, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Division of Professional Registration  
FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 193 – Interior Design Council

**Chapter:** 5 – Continuing Education

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 193-5.010 Requirements

Prepared December 27, 1999 by the Interior Design Council of the Department of Economic Development.

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Biennial Cost of Compliance for the Life of the Rule
Interior Design Council	\$2,362.00

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to handle inquiries and correspondence.
- 2) Expense and equipment costs are incurred for meeting preparation and council expenses incurred in maintaining continuing education documentation;
- 3) Transfers are costs incurred for council and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 6%	Enforcement – 1%
Personal Service	\$746.00	\$83.00
Expense & Equipment	\$558.00	\$62.00
Transfers	\$822.00	\$91.00
<b>TOTAL</b>	<b>\$2,126.00</b>	<b>\$236.00</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the Interior Design Council were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred for a board of similar size. These costs will recur biennially for the

life of the rule; may vary with inflation; and are expected to increase biennially at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of council activity were identified: licensure and enforcement. The council estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$20,725.00	60% - Licensure	\$12,435.00
\$20,725.00	40% - Enforcement	\$8,290.00

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$15,486.00	60% - Licensure	\$9,292.00
\$15,486.00	40% - Enforcement	\$6,194.00

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$22,835.00	60% - Licensure	\$13,701.00
\$22,835.00	40% - Enforcement	\$9,134.00

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 6% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 193 - Division of Professional Registration – Interior Design Council

**Chapter:** 5 – Continuing Education

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 193-5.010 Requirements

Prepared December 27, 1999 by the Interior Design Council of the Department of Economic Development

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:</b>	<b>Classification by types of the business entities which would likely be affected:</b>	<b>Estimated cost of compliance with the rule by the affected entities:</b>
500	Individuals (continuing education)	\$75,000.00
500	Individuals (postage)	\$165.00
<b>Estimated Biennial Cost of Compliance for the Rule's Life</b>		<b>\$75,165.00</b>

**III. WORKSHEET**

Continuing Education @ \$15.00 per hour every two years/\$150.00 per licensee  
Postage @ \$.33

**IV. ASSUMPTIONS**

1. It is not possible to estimate all costs that a licensee could incur in obtaining the required continuing education.
2. The private entity cost for this proposed rule is estimated to be \$75,165.00 biennially for the life of the rule. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 193—Interior Design Council  
Chapter 6—Complaint Handling and Disposition**

**PROPOSED RULE**

**4 CSR 193-6.010 Public Complaint Handling and Disposition Procedure**

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

(1) The Division of Professional Registration/Interior Design Council will receive and process each complaint made against any licensee, applicant or unlicensed individual or entity, when the complaint alleges certain acts or practices that may constitute one (1) or more violations of the provisions of sections 324.240 through 324.439, RSMo. Any member of the public or the profession, or any federal, state or local official, may make and file a complaint with the Interior Design Council. Complaints will be received from sources both within and without Missouri and processed in the same manner as those originating within Missouri. No member of the Interior Design Council may file a complaint with the council while serving in that capacity, unless that member is excused from further deliberation or activity concerning the matters alleged within that complaint. The executive director or any division staff member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) All complaints shall be made in writing on a form approved by the division and shall fully identify the complainant by name and address. Complaints may be based upon personal knowledge or beliefs based on information received from other sources. Oral or telephone communications will not be considered or processed as complaints. The person making these communications will be asked to file a written statement.

(3) Complaints shall be mailed or delivered to the following address: The Division of Professional Registration or the Interior Design Council, P.O. Box 1335, 3605 Missouri Boulevard, Jefferson City, MO 65102.

(4) Each complaint received under this rule pursuant to sections 324.400 through 324.439, RSMo will be maintained by the division. The complaint file will contain a record of each complainant's name and address of the subject(s) of the complaint; the date each complaint is received by the division; a brief statement of the complaint, including the name of any person injured or victimized by the alleged acts or practices; and the ultimate disposition of the complaint. This complaint file shall be a closed record of the division.

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

(6) This rule shall not be deemed to limit the council's authority to file a complaint with the Administrative Hearing Commission charging a licensee with any actionable conduct or violation. The complaint filed by the council need not be limited to the acts charged in a public complaint.

(7) The division/council interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the division/council. This rule does not create any cause of action for licensees against those whom the divi-

sion has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 324.240–324.439, RSMo.

*AUTHORITY:* sections 324.412, 324.436 and 620.010.15(6), RSMo Supp. 1999. Original rule filed Feb. 25, 2000.

*PUBLIC COST:* This proposed rule is estimated to cost the Interior Design Council \$10,392 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*PRIVATE COST:* The proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Interior Design Council, Judith Kolb, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Division of Professional Registration  
FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 193 – Interior Design Council

**Chapter:** 6 – Complaint Handling and Disposition

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 193-6.010 Public Complaint Handling & Disposition Procedures

Prepared December 27, 1999 by the Interior Design Council of the Department of Economic Development.

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Interior Design Council	\$10,392.00

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to handle inquiries, correspondence, process complaints, prepare meeting agendas, attend meetings of the council and to implement council/division directives.
- 2) Expense and equipment costs are incurred for meeting preparation and council expenses in monitoring complaints and conducting investigations;
- 3) Transfers are costs incurred for council and staff support provided by the Division of Professional Registration (also includes data processing, conducting investigations, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement – 44%
Personal Service		\$3,648.00
Expense & Equipment		\$2,725.00
Transfers		\$4,019.00
<b>TOTAL</b>		<b>\$10,392.00</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the Interior Design Council were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred for a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of council activity were identified: licensure and enforcement. The council estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

Allotment	Percentage & Category	Dollar Amount
\$20,725.00	60% - Licensure	\$12,435.00
\$20,725.00	40% - Enforcement	\$8,290.00

**Table 3– Allocation of Expense & Equipment Dollars**

Allotment	Percentage & Category	Dollar Amount
\$15,486.00	60% - Licensure	\$9,292.00
\$15,486.00	40% - Enforcement	\$6,194.00

**Table 4– Allocation of Transfer Dollars**

Allotment	Percentage & Category	Dollar Amount
\$22,835.00	60% - Licensure	\$13,701.00
\$22,835.00	40% - Enforcement	\$9,134.00

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 0% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 44% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 193—Interior Design Council  
Chapter 6—Complaint Handling and Disposition**

**PROPOSED RULE**

**4 CSR 193-6.020 Investigation**

*PURPOSE:* This rule outlines the procedures in conducting an investigation.

(1) Upon receipt of a complaint in proper form, the division/council may investigate the actions of the licensee or applicant against whom the complaint is made. In conducting an investigation, the division/council, in its discretion, may request the licensee or applicant under investigation to answer the charges made against him/her in writing and to produce relevant documentary evidence and may request him/her to appear before it.

*AUTHORITY:* sections 324.412 and 324.436, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.

*PUBLIC COST:* This proposed rule is estimated to cost the Interior Design Council \$7,085 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Interior Design Council, Judith Kolb, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.



**Division of Professional Registration  
FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER****Title:** 4 – Department of Economic Development**Division:** 193 – Interior Design Council**Chapter:** 6 – Complaint Handling and Disposition**Type of Rulemaking:** Proposed Rule**Rule Number and Name:** 4 CSR 193-6.020 Investigation

Prepared December 27, 1999 by the Interior Design Council of the Department of Economic Development.

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Interior Design Council	\$7,085.00

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to handle inquiries, correspondence, process complaints and investigative reports, prepare meeting agendas, attend meetings of the council and to implement council/division directives.
- 2) Expense and equipment costs are incurred for meeting preparation and council expenses incurred in monitoring complaints and conducting investigations;
- 3) Transfers are costs incurred for council and staff support provided by the Division of Professional Registration (also includes data processing, conducting investigations, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement – 30%
Personal Service		\$2,487.00
Expense & Equipment		\$1,858.00
Transfers		\$2,740.00
<b>TOTAL</b>		<b>\$7,085.00</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the Interior Design Council were determined by using allotment figures for personal service, expense and equipment, and transfers

based on actual costs incurred for a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of council activity were identified: licensure and enforcement. The council estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$20,725.00	60% - Licensure	\$12,435.00
\$20,725.00	40% - Enforcement	\$8,290.00

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$15,486.00	60% - Licensure	\$9,292.00
\$15,486.00	40% - Enforcement	\$6,194.00

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$22,835.00	60% - Licensure	\$13,701.00
\$22,835.00	40% - Enforcement	\$9,134.00

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 0% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 30% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 193—Interior Design Council  
Chapter 6—Complaint Handling and Disposition**

**PROPOSED RULE**

**4 CSR 193-6.030 Discipline**

*PURPOSE:* This rule establishes procedures for the discipline of a licensee.

(1) Upon final ruling by the Administrative Hearing Commission that the acts of a licensee constitute a violation of the licensure law or these rules, the council shall hold a hearing to determine the form of discipline to be imposed on the licensee, unless the licensee and the council can agree on the type of discipline.

(2) The council may require a licensee who has been disciplined to meet and perform certain conditions before reinstating an unrestricted license to the person.

*AUTHORITY:* sections 324.412 and 324.436, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.

*PUBLIC COST:* This proposed rule is estimated to cost the Interior Design Council \$2,125 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Interior Design Council, Judith Kolb, Executive Director, P.O. Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Division of Professional Registration  
FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 193 – Interior Design Council

**Chapter:** 6 – Complaint Handling and Disposition

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 193-6.030 Discipline

Prepared December 27, 1999 by the Interior Design Council of the Department of Economic Development.

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance for the Life of the Rule
Interior Design Council	\$2,125.00

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to handle inquiries, correspondence, , prepare meeting agendas, attend meetings of the council and to implement council/division directives.
- 2) Expense and equipment costs are incurred for meeting preparation and council expenses incurred in monitoring discipline licensees;
- 3) Transfers are costs incurred for council and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement – 9%
Personal Service		\$746.00
Expense & Equipment		\$557.00
Transfers		\$822.00
TOTAL		\$2,125.00

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the Interior Design Council were determined by using allotment figures for personal service, expense and equipment, and transfers

based on actual costs incurred for a board of similar size. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of council activity were identified: licensure and enforcement. The council estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$20,725.00	60% - Licensure	\$12,435.00
\$20,725.00	40% - Enforcement	\$8,290.00

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$15,486.00	60% - Licensure	\$9,292.00
\$15,486.00	40% - Enforcement	\$6,194.00

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$22,835.00	60% - Licensure	\$13,701.00
\$22,835.00	40% - Enforcement	\$9,134.00

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 0% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 9% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 1—General Rules**

**PROPOSED RULE**

**4 CSR 197-1.010 Definitions**

*PURPOSE:* This rule defines terms used in 4 CSR 197.

(1) "Client" is defined as one who utilizes the professional services of a licensed massage therapist whether or not any remuneration is expected by the massage therapist. Client does not include the licensed massage therapist's immediate family members or significant other.

(2) "Clock hours" is defined as a minimum of fifty (50) minutes of instruction within a sixty (60)-minute period.

(3) "Direct supervision" is defined as the control, direction, instruction and regulation of a student at all times.

(4) "Universal precautions" is an approach to infection control as defined by the Center for Disease Control (CDC). According to the concept of universal precautions, all human blood and certain body fluids are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), and other blood borne pathogens.

*AUTHORITY:* sections 324.245, 324.257 and 324.265, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Therapeutic Massage, Donna Steinmetz, Executive Director, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. A public hearing on this proposed rule is scheduled for May 10, 2000 from 1:00–5:00 p.m. in Room 492 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 1—General Rules**

**PROPOSED RULE**

**4 CSR 197-1.020 Titling**

*PURPOSE:* This rule specifies the title that may be used by an individual licensed by the board as a massage therapist.

(1) Any person who represents himself/herself as a massage therapist in this state and is licensed by the board may use the abbreviation LMT (licensed massage therapist).

*AUTHORITY:* sections 324.240, 324.245 and 324.270, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Therapeutic Massage, Donna Steinmetz, Executive Director, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. A public hearing on this proposed rule is scheduled for May 10, 2000 from 1:00–5:00 p.m. in Room 492 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 1—General Rules**

**PROPOSED RULE**

**4 CSR 197-1.030 Name and Address Changes**

*PURPOSE:* This rule outlines procedures to be followed for name, address and telephone number changes.

(1) All individuals licensed pursuant to this chapter shall ensure that the license bears the current legal name of that individual.

(2) A licensee whose name has changed shall promptly:  
(A) Notify the board in writing of the change and provide a copy of the appropriate document indicating the change;  
(B) Request from the board a new license bearing the individual's new legal name; and  
(C) Return the current license bearing the former name.

(3) A licensee may request a replacement wall-hanging certificate by paying the wall-hanging replacement fee.

(4) A licensee whose address has changed from that printed on the license must inform the board, in writing, within thirty (30) days of the effective date of the change.

(5) Changes in telephone numbers should also be reported in the same manner as that described for changes in address.

*AUTHORITY:* sections 324.245 and 324.250, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.

*PUBLIC COST:* This proposed rule will cost state agencies or political subdivisions an estimated \$7,479 annually for the life of the rule. It is anticipated that the cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*PRIVATE COST:* This proposed rule will cost private entities an estimated \$9,198 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Therapeutic Massage, Donna Steinmetz, Executive Director, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. A public hearing on this proposed rule is scheduled for May 10, 2000 from 1:00-5:00 p.m. in Room 492 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.*

**Division of Professional Registration  
FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 197-Board of Therapeutic Massage

**Chapter:** 1 – General Rules

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 197-1.030 Name and Address Changes

Prepared December 27, 1999 by the Board of Therapeutic Massage of the Department of Economic Development.

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Board of Therapeutic Massage	\$7,479.00

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to handle inquiries and process request for name and address changes and supporting documentation;
- 2) Expense and equipment costs are incurred for board expenses incurred for issuing and mailing duplicate licenses;
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 5%	Enforcement – 1%
Personal Service	\$1,858.00	\$248.00
Expense & Equipment	\$429.00	\$57.00
Transfers	\$4,311.00	\$576.00
<b>TOTAL</b>	<b>\$6,598.00</b>	<b>\$881.00</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the Board of Therapeutic Massage were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred for a board of similar size. These annual costs will recur



each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

Allotment	Percentage & Category	Dollar Amount
\$61,934.00	60% - Licensure	\$37,160.00
\$61,934.00	40% - Enforcement	\$24,774.00

**Table 3– Allocation of Expense & Equipment Dollars**

Allotment	Percentage & Category	Dollar Amount
\$14,298.00	60% - Licensure	\$8,579.00
\$14,298.00	40% - Enforcement	\$5,719.00

**Table 4– Allocation of Transfer Dollars**

Allotment	Percentage & Category	Dollar Amount
\$143,711.00	60% - Licensure	\$86,227.00
\$143,711.00	40% - Enforcement	\$57,484.00

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 197 - Division of Professional Registration - Board of Therapeutic Massage

**Chapter:** 2 – Massage Therapy Licensure Requirements

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 197-1.030 Name and Address Changes

Prepared December 27, 1999 by the Board of Therapeutic Massage of the Department of Economic Development

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimated cost of compliance with the rule by the affected entities:
600	Individuals (notification of change)	\$198.00
600	Individuals (replacement wall hanging fee)	\$9,000.00
<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>		<b>\$9,198.00</b>

**III. WORKSHEET**

Postage @ \$.33

Replacement wall hanging fee @ \$15.00

**IV. ASSUMPTIONS**

1. The board anticipates that twenty percent (20%) of the board's licensees will request a replacement wall-hanging certificate annually for the life of the rule. The board estimates this application process will cost each applicant approximately \$15.33.
2. The private entity cost for this proposed rule is estimated to be \$9,198.00 annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 1—General Rules**

**PROPOSED RULE**

**4 CSR 197-1.040 Fees**

*PURPOSE: This rule establishes and fixes the various fees and charges for the Board of Therapeutic Massage.*

(1) All fees shall be paid by cashier's check, personal check, money order, or other method approved by the division and must be made payable to the Board of Therapeutic Massage.

(2) No fee will be refunded should any license be surrendered, suspended or revoked during the term for which the license is issued.

(3) The fees are established as follows:

(A) Business License Fee	\$50.00
(B) Business License Renewal Fee	\$50.00
(C) Certified Mentor Fee	\$50.00
(D) Computer Printout Fee (per page)	\$.25
(E) Copy Fee (per page)	\$.25
(F) Duplicate License Fee	\$5.00
(G) Endorsement to Another Jurisdiction Fee	\$15.00
(H) Insufficient Funds Check Charge Fee	\$25.00
(I) Massage Therapist Application Fee	\$150.00
(J) Massage Therapist Renewal Fee	\$150.00
(K) Massage Therapist Temporary License Fee	\$150.00
(L) Provisional License Application Fee	\$30.00
(M) Provisional License Extension Fee	\$30.00
(N) Wall-Hanging Fee Replacement	\$15.00
(O) Fingerprinting Fee	\$23.00
(P) Reciprocity Application Fee	\$150.00
(Q) Student License Fee	\$15.00

(4) All fees are nonrefundable.

*AUTHORITY: sections 324.245, 324.247, 324.250, 324.252, 324.265 and 324.267, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate. The costs associated with the fees set by this rule are accounted for in the fiscal notes of the rules requiring their payment.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Therapeutic Massage, Donna Steinmetz, Executive Director, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. A public hearing on this proposed rule is scheduled for May 10, 2000 from 1:00–5:00 p.m. in Room 492 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.*

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 2—Massage Therapist Licensure Requirements**

**PROPOSED RULE**

**4 CSR 197-2.010 Application for Licensure**

*PURPOSE: This rule outlines the requirements for licensure as a massage therapist including the grandfathering provisions and temporary two (2)-year license.*

(1) A person who has completed massage therapy studies consisting of at least five hundred (500) clock hours of supervised instruction in a Coordinating Board of Higher Education (CBHE) certified school or an equivalent approving body for out-state applicants, shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

(A) A completed notarized application and the accompanying application fee;

(B) Two (2) sets of fingerprints and the fingerprinting fee;

(C) An official final transcript showing successful completion of the program to be submitted directly to the board office from the massage therapy program which includes:

1. The applicant's name;
2. Date of enrollment;
3. Date of completion; and

4. Documentation that the massage therapy program consisted of at least five hundred (500) clock hours of supervised instruction which consisted of:

A. Three hundred (300) clock hours dedicated to massage theory and practice techniques provided by an instructor who has practiced professionally for at least two (2) years and who is licensed or meets the qualifications for licensure as a massage therapist in the state of Missouri;

B. One hundred (100) clock hours dedicated to the study of anatomy and physiology provided by an instructor who holds a bachelor's degree or higher in a field related to anatomy and physiology;

C. Fifty (50) clock hours dedicated to business practice, professional ethics, hygiene and massage law in the state of Missouri provided by an instructor who demonstrates documentable experience in a related field; and

D. Fifty (50) clock hours dedicated to ancillary therapies provided by an instructor who demonstrates documentable experience in a related field. The fifty (50) clock hours shall include but not be limited to cardiopulmonary resuscitation (CPR) and first aid which shall be provided by an instructor who holds the respective certification; and

(D) Evidence of passing an examination from one of the following:

1. The National Certification Board of Therapeutic Massage and Bodywork (NCBTMB); or
2. The National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM); or
3. An examination deemed appropriate by the board.

(2) A person who has completed five hundred (500) clock hours in an apprenticeship with a certified mentor and has successfully passed an examination approved by the board shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

(A) A completed notarized application and the accompanying application fee;

(B) Two (2) sets of fingerprints and the fingerprinting fee;

(C) Official evidence of completing five hundred (500) clock hours of massage therapy training in an apprenticeship with a certified mentor which includes:

1. The applicant name;
2. Date of enrollment;
3. Date of completion;

4. Documentation that the mentorship program consisted of at least five hundred (500) clock hours of supervised instruction which consisted of:

A. Three hundred (300) clock hours dedicated to massage theory and practice techniques provided directly by the certified mentor;

B. One hundred (100) clock hours dedicated to the study of anatomy and physiology provided by an instructor who holds a bachelor's degree or higher in a field related to anatomy and physiology;

C. Fifty (50) clock hours dedicated to business practice, professional ethics, hygiene and massage law in the state of Missouri provided by an instructor who demonstrates documentable experience in a related field; and

D. Fifty (50) clock hours dedicated to ancillary therapies provided by an instructor who demonstrates documentable experience in a related field. The fifty (50) clock hours shall include but not be limited to cardiopulmonary resuscitation (CPR) and first aid which shall be provided by an instructor who holds the respective certification; and

(D) Evidence of passing a statistically valid examination from one of the following:

1. NCBTMB; or
2. NCCAOM; or
3. An examination deemed appropriate by the board.

(3) Grandfathering Provisions.

(A) A person who has passed a statistically valid examination on therapeutic massage and bodywork prior to August 28, 1999 and applies for such license prior to December 31, 2000 shall be at least eighteen (18) years of age and shall submit—

1. A completed notarized application and the accompanying application fee;

2. Two (2) sets of fingerprints and the fingerprinting fee; and

3. Evidence of passing a statistically valid examination from one of the following:

- A. NCBTMB; or
- B. NCCAOM.

(B) A person who has been in the practice of massage therapy for at least ten (10) years prior to August 28, 1999 and applies for such license prior to December 31, 2000 shall submit or cause to be submitted:

1. A completed notarized application and the accompanying application fee;

2. Two (2) sets of fingerprints and the fingerprinting fee;

3. Evidence documenting at least ten (10) years of massage therapy practice (minimum of one hundred fifty (150) massage hours per year practiced between August 28, 1984 to August 28, 1999) which shall include but not be limited to a combination of the following:

- A. Income tax forms;
- B. Professional massage therapy association membership(s);
- C. Certificates of continuing education in massage therapy;
- D. Business license(s);
- E. Office rent or lease agreement(s);
- F. Yellow page advertisements with dates;
- G. Printed advertisements with dates;
- H. Professional insurance;
- I. Cancelled checks related to the massage therapy practice which shall include but not be limited to payment for rent, services rendered and/or massage therapy supplies;
- J. Verifiable letter(s) from employer(s);
- K. Verifiable letter(s) of referral for massage therapy services from a licensed healthcare professional;
- L. Verifiable letters of confirmation from clients of massage therapy experience;
- M. Work log or client records consisting of client's name, address and/or telephone number, appointment date, and time period worked on client.

(C) A person who has been in the practice of a massage therapy for at least three (3) years prior to August 28, 1999, has completed at least one hundred (100) clock hours of formal training in massage and applies for such license prior to December 31, 2000

shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

1. A completed notarized application and the accompanying application fee;

2. Two (2) sets of fingerprints and the fingerprinting fee;

3. Evidence documenting at least three (3) years massage therapy practice (minimum of one hundred fifty (150) massage hours per year practiced between August 28, 1994 to August 28, 1999) which shall include but not be limited to a combination of the following:

- A. Income tax forms;
- B. Professional massage therapy association membership(s);
- C. Certificates of continuing education in massage therapy;
- D. Business license(s);
- E. Office rent or lease agreement(s);
- F. Yellow page advertisements with dates;
- G. Printed advertisements with dates;
- H. Professional insurance;
- I. Cancelled checks related to the massage therapy practice which shall include but not be limited to payment for rent, services rendered and/or massage therapy supplies;
- J. Verifiable letter(s) from employer(s);
- K. Verifiable letter(s) of referral for massage therapy services from a licensed healthcare professional;
- L. Verifiable letters of confirmation from clients of massage therapy experience;
- M. Work log or client records consisting of client's name, address and/or telephone number, appointment date, and time period worked on client; and

4. Evidence of at least one hundred (100) clock hours of formal massage therapy training approved by the board which shall include any combination of the following:

A. Classroom and directly supervised student clinical massage therapy practice hours;

B. Continuing education credits in massage therapy; or

C. Massage therapy seminar and/or workshop attendance.

(4) Temporary Two (2)-Year License.

(A) A person who has practiced less than three (3) years prior to August 28, 1999 and has at least one hundred (100) clock hours of training prior to December 31, 2000 and applies for a temporary two (2)-year license prior to December 31, 2000 shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

1. A completed notarized application and the accompanying application fee;

2. Two (2) sets of fingerprints and the fingerprinting fee;

3. Evidence documenting at least seventy-five (75) massage hours over a minimum of a six (6)-month period with no less than eight (8) hours in each single month of massage therapy practice prior to August 28, 1999 which shall include but not be limited to a combination of the following:

- A. Income tax forms;
- B. Professional massage therapy association membership(s);
- C. Certificates of continuing education in massage therapy;
- D. Business license(s);
- E. Office rent or lease agreement(s);
- F. Yellow page advertisements with dates;
- G. Printed advertisements with dates;
- H. Professional insurance;
- I. Cancelled checks related to the massage therapy practice which shall include but not be limited to payment for rent, services rendered and/or massage therapy supplies;
- J. Verifiable letter(s) from employer(s);
- K. Verifiable letter(s) of referral for massage therapy services from a licensed healthcare professional;

(B) A person who has practiced less than three (3) years prior to August 28, 1999 and has at least one hundred (100) clock hours of training prior to December 31, 2000 and applies for a temporary two (2)-year license prior to December 31, 2000 shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

1. A completed notarized application and the accompanying application fee;

2. Two (2) sets of fingerprints and the fingerprinting fee;

3. Evidence documenting at least seventy-five (75) massage hours over a minimum of a six (6)-month period with no less than eight (8) hours in each single month of massage therapy practice prior to August 28, 1999 which shall include but not be limited to a combination of the following:

- A. Income tax forms;
- B. Professional massage therapy association membership(s);
- C. Certificates of continuing education in massage therapy;
- D. Business license(s);
- E. Office rent or lease agreement(s);
- F. Yellow page advertisements with dates;
- G. Printed advertisements with dates;
- H. Professional insurance;
- I. Cancelled checks related to the massage therapy practice which shall include but not be limited to payment for rent, services rendered and/or massage therapy supplies;
- J. Verifiable letter(s) from employer(s);
- K. Verifiable letter(s) of referral for massage therapy services from a licensed healthcare professional;

L. Verifiable letters of confirmation from clients of massage therapy experience; or

M. Work log or client records consisting of client's name, address and/or telephone number, appointment date, and time period worked on client; and

4. Evidence of at least one hundred (100) clock hours of formal massage therapy training approved by the board which shall include any combination of the following:

A. Classroom and directly supervised student clinical massage therapy practice hours;

B. Continuing education credits in massage therapy; or

C. Massage therapy seminar and/or workshop attendance.

(B) A person who has practiced at least three (3) years prior to August 28, 1999 and has less than one hundred (100) clock hours of training prior to December 31, 2000 and applies for a temporary two (2)-year license prior to December 31, 2000 shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

1. A completed notarized application and the accompanying application fee;

2. Two (2) sets of fingerprints and the fingerprinting fee;

3. Evidence documenting at least three (3) years massage therapy practice (minimum of one hundred fifty (150) massage hours per year practiced between August 28, 1994 to August 28, 1999) which shall include but not be limited to a combination of the following:

A. Income tax forms;

B. Professional massage therapy association membership(s);

C. Certificates of continuing education in massage therapy;

D. Business license(s);

E. Office rent or lease agreement(s);

F. Yellow page advertisements with dates;

G. Printed advertisements with dates;

H. Professional insurance;

I. Cancelled checks related to the massage therapy practice which shall include but not be limited to payment for rent, services rendered and/or massage therapy supplies;

J. Verifiable letter(s) from employer(s);

K. Verifiable letter(s) of referral for massage therapy services from a licensed healthcare professional;

L. Verifiable letters of confirmation from clients of massage therapy experience; and

M. Work log or client records consisting of client's name, address and/or telephone number, appointment date, and time period worked on client; and

4. Evidence of at least twenty-five (25) clock hours of formal massage therapy training approved by the board which shall include any combination of the following:

A. Classroom and directly supervised student clinical massage therapy practice hours;

B. Continuing education credits in massage therapy; or

C. Massage therapy seminar and/or workshop attendance.

(C) During the temporary two (2)-year license period the licensee shall complete at least one hundred (100) additional clock hours of formal training approved by the board and shall:

1. Cause an official final transcript to be submitted directly to the board office from the approved massage therapy school which includes:

A. The applicant's name;

B. Date of enrollment;

C. Date of completion; and

D. Evidence that one hundred (100) clock hours of formal training included at least twenty-five (25) clock hours in anatomy and physiology.

(D) The temporary two (2)-year license shall not be renewable.

(E) A temporary license holder who fails to complete the required one hundred (100) clock hours of formal training

approved by the board within the two (2)-year license period shall not be eligible for licensure pursuant to this provision and will have to reapply for licensure pursuant to the licensure requirements in effect at that time.

*AUTHORITY: sections 324.240, 324.243, 324.245, 324.265, 324.267 and 324.270, RSMo Supp. 1999. Original rule filed Feb. 25, 2000.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated \$37,831 annually for the life of the rule. It is anticipated that the total annual cost per year will recur each year for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: This proposed rule will cost private entities an estimated \$579,990 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 5% in licensees. Therefore, the board estimates that the annual private entity cost to comply with this rule will be \$28,999.50 for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Therapeutic Massage, Donna Steinmetz, Executive Director, P.O. Box 1335, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. A public hearing on this proposed rule is scheduled for May 10, 2000 from 1:00-5:00 p.m. in Room 492 of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.*

**Division of Professional Registration  
FISCAL NOTE  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 197-Board of Therapeutic Massage

**Chapter:** 2 – Massage Therapist Licensure Requirements

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 197-2.010 Application for Licensure

Prepared December 27, 1999 by the Board of Therapeutic Massage of the Department of Economic Development.

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Board of Therapeutic Massage	\$37,831.00

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to handle inquiries, correspondence, process applications and supporting documentation, prepare meeting agendas, attend meetings of the board and to implement board/division directives.
- 2) Expense and equipment costs are incurred for meeting preparation and board expenses for issuing and mailing massage therapy licenses;
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 26%	Enforcement – 4%
Personal Service	\$9,662.00	\$991.00
Expense & Equipment	\$2,231.00	\$229.00
Transfers	\$22,419.00	\$2,299.00
<b>TOTAL</b>	<b>\$34,312.00</b>	<b>\$3,519.00</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the Board of Therapeutic Massage were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred for a board of similar size. These annual costs will recur

each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

Allotment	Percentage & Category	Dollar Amount
\$61,934.00	60% - Licensure	\$37,160.00
\$61,934.00	40% - Enforcement	\$24,774.00

**Table 3– Allocation of Expense & Equipment Dollars**

Allotment	Percentage & Category	Dollar Amount
\$14,298.00	60% - Licensure	\$8,579.00
\$14,298.00	40% - Enforcement	\$5,719.00

**Table 4– Allocation of Transfer Dollars**

Allotment	Percentage & Category	Dollar Amount
\$143,711.00	60% - Licensure	\$86,227.00
\$143,711.00	40% - Enforcement	\$57,484.00

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 25% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 4% of the time will be spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

**Title:** 4 – Department of Economic Development

**Division:** 197 - Division of Professional Registration - Board of Therapeutic Massage

**Chapter:** 2 – Massage Therapy Licensure Requirements

**Type of Rulemaking:** Proposed Rule

**Rule Number and Name:** 4 CSR 197-2.010 Application for Licensure

Prepared December 27, 1999 by the Board of Therapeutic Massage of the Department of Economic Development

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimated cost of compliance with the rule by the affected entities:
3000	Individuals (application fee)	\$450,000.00
3000	Individuals (fingerprinting fees)	\$69,000.00
3000	Individuals (photograph fees)	\$22,500.00
3000	Individuals (notary)	\$7,500.00
3000	Individuals (transcript)	\$30,000.00
3000	Individuals (postage)	\$990.00
<b>Estimated Cost of Compliance for the First Year of Implementation of the Rule</b>		<b>\$579,990.00</b>
<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>		<b>\$28,999.50</b>

**III. WORKSHEET**

- Application fee @ \$150.00
- Fingerprinting fee @ \$23.00
- Photograph fee @ \$7.50
- Notary @ \$2.50
- Transcript @ \$10.00
- Postage @ \$.33

**IV. ASSUMPTIONS**

1. The board anticipates three thousand (3000) individuals will apply for licensure during the first year based on the number of individuals who have contacted the office and requested to be placed on the licensure application mailing list. The board estimates this application process will cost each applicant approximately \$193.33.
2. The private entity cost for this proposed rule is estimated to be \$579,990.00 for the first year of implementation of the rule. Thereafter, the board is anticipating an annual growth rate of 5% in licensees. Therefore, the board estimates that the annual private entity cost to comply with this rule will be \$28,999.50 for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.