Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register.* If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
**Boldface text indicates new matter**.
*[Bracketed text indicates matter being deleted.]*

**Title *[4] 7*—DEPARTMENT OF *[ECONOMIC DEVELOPMENT] TRANSPORTATION***
**Division 265—*[Division of]* Motor Carrier and Railroad Safety**
**Chapter *[2] 10—[Practice and Procedure] Motor Carrier Operations***

## PROPOSED AMENDMENT

***[4 CSR 265-2.060] 7 CSR 265-10.015* General Application Requirements for the Issuance and Transfer of Intrastate Motor Carrier Certificates, Permits and Temporary Authority**. The Missouri Highways and Transportation Commission is amending the Purpose and sections (1), (2), (4), (5), (6), (7) and (8) of this rule, removing three (3) incorporated forms, and revising one (1) incorporated form.

*PURPOSE: This proposed amendment simplifies the application filing requirements by merging four (4) applications into one (1), updates proper agency references, corrects the process for contested applications, formalizes e-application filings and removes the application form from the rule.*

*PURPOSE: This rule sets forth the requirements that applications to the [division]* ***commission*** *requesting an intrastate motor carrier certificate or permit must meet.*

(1) Applicability—Every application for the issuance or transfer of a common carrier certificate under 390.051, RSMo, a contract carrier permit under section 390.061, RSMo, or both, or for the issuance of temporary authority under section 390.081, RSMo, which authorizes the transportation of passengers or property on the public highways in Missouri intrastate commerce shall be filed in conformity with the requirements of this rule*[, division rule 4 CSR 265-2.080 (Pleadings),]* and other rules of the *[division]* **commission** whenever applicable.

(2) Prescribed Application Forms. The applicant shall complete and file *[the]* **an** application form, including all exhibits required by the application form, which is adopted by the *[division]* **commission** and prescribed as follows:

*[(A)]* Form MO-1, Application *[For a Certificate/Permit]* to Operate in Intrastate Commerce *[Transporting Property (Except Household Goods)]*, **which is incorporated herein by reference and made a part of this rule as published by the Missouri Highways and Transportation Commission, Motor Carrier Services Division, 1320 Creek Trail Drive, Jefferson City, MO 65102, effective September 2007,** shall be filed *[in duplicate]* for applications under sections 390.051, *[RSMo or section]* 390.061**, 390.063, 390.081, 390.111, 390.270 and 390.290**, RSMo, for the issuance or transfer of a certificate**,** *[and]* permit **or property carrier registration** which authorizes **for-hire** operations as a *[common carrier and contract]* **motor** carrier in intrastate commerce *[transporting property (except household goods)]*, and applications for the enlargement of such a certificate**,** *[and]* permit **or property carrier registration** to authorize the transportation of additional *[hazardous materials (except household goods);]* **passengers or property. This rule does not incorporate any subsequent amendments or additions of this form.**

*[(B) Form MO-2, Application For a Certificate OR Permit to Operate in Intrastate Commerce Transporting Household Goods or Passengers, shall be filed in triplicate for applications for the issuance or transfer of a certificate which authorizes operations as a common carrier under section 390.051, RSMo, or a permit which authorizes operations as a contract carrier under section 390.061, RSMo, in intrastate commerce transporting household goods or passengers (except as provided in subsection (2)(C)). The applicant may request the division to include a certificate and permit which authorizes operations as a common carrier and contract carrier in intrastate commerce transporting property (except household goods);*

*(C) Form MO-3, Application for a Certificate/Permit to Operate in Intrastate Corporations a Not for Profit Corporation Transporting Passengers Other Than in Charter Service, shall be filed in duplicate for applications under section 390.063, RSMo, for the issuance of a certificate which authorizes operations as a common carrier, or a permit which authorizes operations as a contract carrier, in intrastate commerce transporting exclusively passengers other than in charter service who are—*

*1. Elderly;*

*2. Handicapped;*

*3. Preschool disadvantaged children transported for the purpose of participating in a federal head start program; or*

*4. Transported in areas other than "urbanized areas" for which the motor carrier is authorized to be subsidized or reimbursed under section 18 of the Urban Mass Transportation Act of 1964, as amended, section 1614 of Title 49, United States Code, with federal funds administered by the Missouri Highways and Transportation Department, except that priority shall be given to serving passengers who are elderly, handicapped or preschool disadvantaged children under the proposed certificate or permit; and*

*(D) Form MO-4, Application for a Temporary Certificate or Permit to Operate in Intrastate Commerce Transporting Household Goods or Passengers, shall be filed in duplicate for applications under section 390.081, RSMo, for the issuance of temporary authority which authorizes operations as a common carrier or contract carrier in intrastate commerce transporting household goods or passengers for a period not to exceed ninety (90) days.]*

(4) Required Documentation—The application shall not be accepted for filing with the *[division]* **commission** until the *[division]* **commission** has received the following required documentation:

(A) Completed Application Form and Exhibits—The completed application form prescribed by section (2), including any exhibits required by the application form, which shall be verified as required by section (3), and signed as required by section (5) of *[division rule 4 CSR 265-2.080]* **this rule**;

(B) Liability Insurance Coverage—Form E—Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance, or Form G—Uniform Motor Carrier Bodily Injury and Property Damage Surety Bond, executed in triplicate by the applicant's insurance provider, which shall provide liability insurance coverage in the required form and shall be filed with and approved by the *[division]* **commission** only in accordance with the requirements of *[4]* **7** CSR 265-10.030; or in the alternative, notice that the applicant has been approved for self-insurance by order of this *[division]* **commission**, in accordance with the requirements of section 390.126.1, RSMo, and *[division]* **commission** rules *[4]* **7** CSR 265-10.030 and 4 CSR 265-2.068.

1. Exception—Household Goods and Passengers Other Than in Charter Service. Applications for a certificate or permit which authorizes the intrastate transportation of household goods, or passengers other than in charter service (EXCEPT applications by not for profit corporations under section 390.063, RSMo), may be filed without the documentation required by subsection (4)(B), but the *[division]* **commission** shall not issue the requested certificate or permit until the *[division]* **commission** has received, approved and filed the documents required by this subsection. Fax copies of the insurance certificate or bond shall be accepted by the *[division]* **commission** only in conformity with the requirements under *[4]* **7** CSR 265-10.030(3);

(C) Vehicle Licensing and Fees—*[Form B-1—Uniform Application for Licensing of Vehicles or Driveaway Operations, showing]* **The application shall include** the number and type of vehicle licenses requested by the applicant for each motor vehicle to be operated in Missouri intrastate commerce under the requested operating authority during the current license year*[, together with payment of the aggregate license fees payable under 4 CSR 265-10.020 by a certified check or money order payable to Director of Revenue]*. **Payment of all license fees payable under section 390.136, RSMo shall be received before the commission issues the operating authority.**

1. Exception—Not for Profit Corporations, Passengers Other Than in Charter Service—Subsection (4)(C) shall not apply to applications properly filed by a not for profit corporation *[on Form MO-3, Application For a Certificate or Permit to Operate in Intrastate Commerce as a Not For Profit Corporation Transporting Passengers Other Than in Charter Service]*;

(D) Corporate Standing—If the applicant is a corporation or limited liability partnership, confirmation that the applicant is properly incorporated or registered and in good standing with the Office of the Missouri Secretary of State **shall be required**. The *[division]* **commission** has established a computer link by which to verify an applicant's corporate standing with the Office of the Missouri Secretary of State, but the *[division]* **commission** may require an applicant to file written evidence of its incorporation, registration or good standing whenever deemed necessary by the *[division]* **commission**; and

(E) Fictitious Name Registration—If the applicant operates as a motor carrier under any trade name or fictitious name, confirmation that the applicant has properly registered its fictitious name as required by law with the Office of the Missouri Secretary of State **shall be required**. The *[division]* **commission** has established a computer link by which to verify an applicant's registration of fictitious names with the Office of the Missouri Secretary of State, but the *[division]* **commission** may require an applicant to file written evidence of the proper registration of its fictitious name whenever deemed necessary by the *[division]* **commission**.

(5) Form of Applications—The following requirements also apply to motor carrier applications **for operating authority** under this rule:

(A) Photocopied Forms, Original Signatures**, Electronic Filings**—Photocopies of the prescribed application and exhibit forms may be filed in lieu of the printed forms, if they are clearly legible, but the application shall include one (1) original signature of every person whose signature is required*[;]***. The commission may also accept or reject an application for filing by electronic mail (email), or other approved electronic media, in conformity with section (2) of this rule. An operating authority application and supporting documentation filed with the commission pursuant to this rule through the format of photocopies, facsimile (FAX) copies, or other approved electronic means shall have the same legal rights, duties and liabilities attached to such documents as if they were signed originals;**

(B) Substitution of Exhibits—If it would be unduly burdensome for the applicant to reproduce the required information *[on Exhibits C, D, or E, as prescribed in this rule]* **as exhibits to the application form**, then in lieu of filing the *[division's]* **commission's** prescribed exhibit form, the applicant may file the required information *[with the prescribed application form]* in a writing which plainly sets forth the same information required by the prescribed exhibit form, in the same or a similarly unambiguous format, which shall be designated by the same exhibit letter as the prescribed exhibit for which it is substituted; and

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

(A) Exception—Charter Service—Whenever the application seeks the issuance of a certificate or permit which authorizes the intrastate transportation of passengers in charter service as a common carrier or contract carrier, the *[division]* **commission** shall also make findings as required by subsection 3 of section 390.051, RSMo, or subsection 3 of section 390.061, RSMo, and shall not grant the application unless it finds that the applicant is fit, willing and able to properly perform the service proposed, and to conform to the provisions of Chapter 390, RSMo, and the rules and orders of the *[division]* **commission**.

(B) Exception—Household Goods or Passengers Other Than in

Charter Service, Common Carriers—Whenever the application seeks the issuance of a certificate which authorizes the intrastate transportation of household goods, or passengers other than in charter service (other than a passenger application under section 390.063, RSMo) as a common carrier, the *[division]* **commission** shall also make findings as required by subsections 4 and 5 of section 390.051, RSMo, and shall not grant the application unless it finds that the applicant is fit, willing and able to properly perform the service proposed, and to conform to the provisions of Chapter 390, RSMo, and the rules and orders of the *[division]* **commission**, and that the service proposed will serve a useful present or future public purpose; but the *[division]* **commission** shall not grant that application if it finds on the basis of evidence presented by persons objecting to the issuance of a certificate that the transportation to be authorized by the requested certificate will be inconsistent with the public convenience and necessity.

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

(D) Exception—Not For Profit Corporations, Passengers Other Than In Charter Service—Whenever the application seeks the issuance of a certificate or permit which authorizes a not for profit corporation to perform the intrastate transportation of passengers other than in charter service exclusively as provided in section 390.063, RSMo, as a common carrier or contract carrier, the *[division]* **commission** shall also make findings as required by subsection 3 of section 390.063, RSMo, and shall not grant the application unless it finds that the applicant is willing and able to properly perform the service proposed, and to conform to the provisions of Chapter 390, RSMo, and the rules and orders of the *[division]* **commission**.

(E) Exception—Temporary Authority—Whenever the application seeks the issuance of temporary authority which authorizes the intrastate transportation of household goods or passengers as a common carrier or contract carrier, under section 390.081, RSMo, the *[division]* **commission** shall not grant the application unless it finds that there is an urgent and immediate need for the proposed motor carrier service from, to or between a point or points or within a territory having no carrier service deemed capable of meeting such need.

(7) Hearings, Generally—Except as otherwise provided in subsections (7)(A) and (B), if the *[administrative law judge]* **commission** determines that the applicant is qualified, the application shall be granted *[without a hearing]* **by the commission**. If the *[administrative law judge]* **commission** determines that the information on record concerning the applicant's qualifications is not adequate to finally determine the application, the *[division]* **commission** staff may *[be directed to]* investigate the applicant's qualifications more thoroughly before the *[administrative law judge]* **commission** makes a final determination of the application. If the *[administrative law judge]* **commission** or the *[division]* **commission** staff opposes granting the application, *[a hearing shall be held]* **the commission shall deny the application by notice to the applicant and the applicant may then apply to the Administrative Hearing Commission to conduct a hearing** to determine the merits of the application **and the Administrative Hearing Commission shall make the final determination whether to grant the operating authority requested by the applicant.**

(A) Exception—Household Goods or Passengers Other Than in Charter Service. Whenever the application seeks the issuance of a certificate or permit which authorizes the intrastate transportation of household goods, or passengers other than in charter service (except a passenger application by a not for profit corporation under section 390.063, RSMo) as a common carrier or contract carrier, the *[division]* **commission** shall publish notice of that application in the *Notice Register of Motor Carrier Cases[, and shall schedule a hearing and otherwise proceed as required by the applicable provisions of sections 390.051, 390.061 and 390.062, RSMo and 4 CSR 265-2.200]* **and any interested motor carrier that transports household goods in intrastate commerce or passengers other than in charter service shall have the right to intervene and request a hearing before the Administrative Hearing Commission**. **The Administrative Hearing Commission shall make the final determination whether to grant the operating authority requested by the applicant**.

(B) Exception—Temporary Authority—Whenever the application seeks the issuance of temporary authority which authorizes the intrastate transportation of household goods or passengers as a common carrier or contract carrier, under section 390.081, RSMo, the *[division]* **commission** shall determine the application without a hearing or other proceeding.

(8) Transfers—*[Division]* **Commission** staff's review of each proposed transfer of a certificate or permit shall include a consideration of how the proposed transfer will affect the transferor's and transferee's other operating authority, if any. *[Division]* **Commission** staff may file, together with any recommendation or motion in the case, a proposed certificate or permit for the transferee and, if the *[transfer or]* **transferor** is to retain any authority from the *[division]* **commission** after the transfer, a proposed certificate or permit for the *[transfer or]* **transferor** also, setting forth the proposed authority as if the proposed transfer were approved by the *[division]* **commission**. In setting forth the proposed operating authority, *[division]* **commission** staff shall apply the principles of merger with reference to duplicated or overlapping authority as provided in 4 CSR 265-2.190 and, in accordance with those principles, may edit or modify the authority to delete extra pieces of authority that are deemed to be merged and no longer effective as separate pieces of authority, or to correct spelling, typographical, grammatical or format errors not altering the substance of the authority. *[Division]* **Commission** staff shall serve copies of the proposed certificate(s) or permit(s) upon both the *[transfer or]* **transferor** and the transferee. If neither of the applicants objects to the proposed certificate(s) or permit(s) before the effective date of the order of transfer, then their objections, if any, shall be waived and the *[division]* **commission** may issue the resulting certificate(s) or permit(s) as proposed by *[division]* **commission** staff, unless otherwise ordered by the *[administrative law judge. The administrative law judge shall determine any timely-filed objections]* **commission. If any objections are timely-filed** to *[division]* **commission** staff's proposed certificate(s) or permit(s)**, the application will be sent to the Administrative Hearing Commission for a hearing and final determination**.

*AUTHORITY: sections 622.027, RSMo [1994]* ***2000 and 226.008, RSMo Supp. 2006****. Emergency rule filed June 14, 1985, effective July 1, 1985, expired Oct. 28, 1985. Original rule filed Aug. 1, 1985, effective Oct. 29, 1985. For intervening history, please consult the* ***Code of State Regulations****. Emergency amendment filed Sept. 13, 2007, effective Oct. 3, 2007, expires March 30, 2008. Amended: Filed Sept. 13, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pamela Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
## Division 265—Division of Transportation
## Chapter 6—Transportation

### PROPOSED RESCISSION

**4 CSR 265-6.020 Freight Tariffs**. This rule prescribed the form and governed the construction and filing of freight tariffs for common carriers of household goods.

*PURPOSE: This rule is being rescinded and a new rule will be proposed in 7 CSR 265-10.120, Household Goods Tariffs, which will streamline the tariff filing process for motor carriers transporting household goods.*

*AUTHORITY: section 622.027, RSMo 1994. Emergency rule filed June 14, 1985, effective July 1, 1985, expired Oct. 28, 1985. Original rule filed Aug. 1, 1985, effective Oct. 29, 1985. For intervening history, please consult the **Code of State Regulations**. Emergency rescission filed Sept. 13, 2007, effective Oct. 3, 2007, expires March 30, 2008. Rescinded: Filed Sept. 13, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Transportation, Pam Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 50—Division of School Improvement
## Chapter 500—Virtual Schools

### PROPOSED RULE

**5 CSR 50-500.010 Virtual Instruction Program**

*PURPOSE: This rule establishes policies and procedures for the Missouri Department of Elementary and Secondary Education to implement a public virtual school program to serve school-age students residing in the state, as authorized by section 161.670, RSMo.*

(1) General Information. Missouri's Virtual Instruction Program (MoVIP) offers free online courses to any kindergarten through grade twelve (K-12) students residing in Missouri, subject to appropriations. All MoVIP teachers are Missouri certified in the subjects they teach. All courses offered through MoVIP are aligned with Missouri's Show-Me Standards. The program is intended to give students and families greater access to courses. It also is intended to give school districts more flexibility in scheduling, offering courses, and providing accelerated learning options for students.

(2) Access. A school district shall not limit a student's access to MoVIP state-funded courses, even if the district offers the same course titles. School officials are encouraged to advise students who are considering MoVIP courses about whether those courses are appropriate, based on academic prerequisites and each student's age and academic readiness.

(A) State appropriations will pay for no more than six (6) virtual credits per school year for any one (1) student. A credit consists of two (2) semesters of work for a school year.

(B) A school district cannot limit the number of credits a student may earn through MoVIP during a single or multiple school years.

(C) Students may be allowed to take MoVIP courses during the regular school day as allowed by local district policies.

(3) Selection. In any fiscal year, the number of students seeking to enroll in courses through MoVIP may exceed the level of state funding appropriated to support the program. The Department of Elementary and Secondary Education (DESE) will use a selection process to assure that students in all parts of the state have an equal opportunity to participate in the MoVIP program.

(4) Credit. Course credit issued through the MoVIP program shall be recognized by all public school districts in Missouri, regardless of who paid for the MoVIP course (state reimbursement or private tuition).

(A) All courses offered by MoVIP must use course numbers established by DESE.

(B) MoVIP will officially notify school districts and parents about the completion of each course and about any change in a student's status (moving, dropping a course, etc.). When a course is completed, the notification will be in the form of a percentage of work satisfactorily completed, as opposed to a letter grade.

(C) School district policies governing how grades and credits are awarded must be applied to MoVIP courses and credits the same way they are applied to courses offered by the school district. Once a grade has been assigned for a course credit that was taken through the MoVIP program that credit shall be treated the same as any other course offered by the district.

(5) Special Education. MoVIP shall provide the services/accommodations set forth in a student's Individual Education Program (IEP) to enable a student to take the online courses offered by MoVIP. Provisions in the IEP for related services shall be the responsibility of the local school district where the student resides, unless the student is a private school student accessing MoVIP part-time. For those students, related services shall be provided by the local district to the extent required by their proportionate share requirement under state and federal regulations implementing the Individuals with Disabilities Education Act (IDEA). Districts must provide MoVIP with a copy of the current IEP for students enrolled in MoVIP. Students with disabilities who are enrolled full-time in MoVIP must have an IEP that can be implemented in MoVIP's online mode.

(6) Multiple Providers. DESE shall ensure that multiple content providers are considered in the event that more than one (1) vendor is determined to be in compliance with the provisions of section 161.670, RSMo, the requirements of this rule, and are determined to be responsive to the request for proposal issued by DESE.

(7) Funding. Districts that have resident students enrolled in MoVIP classes will receive a disbursement corresponding to fifteen percent (15%) of the total state aid attributable to such students under sections 163.031 and 163.043, RSMo.

*AUTHORITY: sections 161.092, 161.670, 163.031 and 163.043, RSMo Supp. 2006. Original rule filed Sept. 12, 2007.*

*PUBLIC COST: This proposed rule is estimated to cost the Department of Elementary and Secondary Education $5,326,960 for Fiscal Year 2008 and $7,930,365 for Fiscal Year 2009, with the cost recurring annually for the life of the rule based upon yearly appropriations from the General Assembly.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($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 Missouri Department of Elementary and Secondary Education, ATTN: Curt Fuchs, Director, Virtual Schools, Division of School Improvement, PO Box 480, Jefferson City, MO 65102-0480. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

**FISCAL NOTE**
**PUBLIC COST**

## I. RULE NUMBER

| | |
|---|---|
| Rule Number and Name: | 5 CSR 50-500.010 Virtual Instruction Program |
| Type of Rulemaking: | Proposed Rule |

## II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|---|---|
| Department of Elementary and Secondary Education | $5,326,960 amount for Fiscal Year 2008 and $7,930,365 for Fiscal Year 2009, with this cost recurring based upon yearly appropriations from the General Assembly. |

## III. WORKSHEET

Program estimates are based upon a cost of $5,200 per student FTE and an appropriation limit of 500 FTE in Fiscal Year 2008 and 750 FTE in Fiscal Year 2009. Administrative estimates are based upon 2 FTE assigned to the Department of Elementary and Secondary Education.

| **Expenses – FY 2007** | | **Expenses – FY 2008** | | **Expenses – FY 2009** | |
|---|---|---|---|---|---|
| Personnel | $56,646 | Personnel | $ 78,792 | Personnel | $ 81,156 |
| Benefits | $25,399 | Benefits | $ 34,668 | Benefits | $ 35,709 |
| Equipment & Expense | $13,421 | Equipment & Expense | $ 13,500 | Equipment & Expense | $ 13,500 |
| | | Course Costs | $5,200,000 | Course Costs | $7,800,000 |
| **TOTAL** | **$95,466** | **TOTAL** | **$5,326,960** | **TOTAL** | **$7,930,365** |

## IV. ASSUMPTIONS

## Title 7—DEPARTMENT OF TRANSPORTATION
## Division 265—Motor Carrier and Railroad Safety
## Chapter 10—Motor Carrier Operations

### PROPOSED AMENDMENT

**7 CSR 265-10.050 Tariffs, Time Schedules and Motor Carrier Documentation**. The commission is amending sections (1)–(13).

*PURPOSE: This proposed amendment changes the reference to the new proposed rule that streamlines the tariff requirements for motor carriers transporting household goods, modifies all references to the proper agency, provides that rates and charges for household goods transportation wholly within municipalities, contiguous municipalities and commercial zones shall not be based on distance rates and clarifies commercial zone movements pursuant to Truly Agreed to and Finally Passed Senate Bill 30.*

(1) Every common carrier, to the extent it is authorized by this *[division]* **commission** to engage in intrastate transportation of passengers or household goods between points in Missouri, shall publish and file with the *[division]* **commission** and keep for public inspection at each of its terminals, tariff schedules specifying its rates and charges and which shall—

(B) Conform, if filed by common carriers of household goods to rules contained in *[4 CSR 265-6.020]* **7 CSR 265-10.120** and any tariff schedule not conforming to the rules may be rejected;

(D) Be published and filed, if filed by common carriers of passengers or household goods to specify the initial rates and charges for service under a certificate newly acquired by original grant or transfer, with the *[division]* **commission** upon not less than one (1) day's notice. This permission to file and publish tariff schedules, including supplements where otherwise permitted by *[division]* **commission** rules, upon less than thirty (30) days notice is ordered for good cause under section 387.070, RSMo to eliminate needless delays for common carriers in beginning service to the public under newly acquired authority, notwithstanding any provision of 4 CSR 265-6.010 or *[4 CSR 265-6.020]* **7 CSR 265-10.120** to the contrary.

*[(2) Every motor common carrier of passengers or household goods shall comply with the provisions of 4 CSR 265-10.110, with reference to joint or interline service with other carriers, and tacking its own separate routes.]*

**(2) After the commission has ordered a minimum, maximum or prescribed rate for the transportation of property or passengers, a motor carrier may not lawfully charge for its transportation of property or passengers a rate which is less than the minimum or prescribed rate, or more than the maximum or prescribed rate, unless expressly approved by a later order of the commission, or pursuant to a periodic rate adjustment approved by the commission as provided in section 387.075, RSMo. A carrier may seek the commission's approval by either of the following methods:**

**(A) By filing and receiving commission approval of an application seeking rate relief in accordance with the provision of section 390.062, RSMo; or**

**(B) By filing a tariff that proposes the new rate, after which the commission may suspend the tariff and require notice and opportunity for hearing as provided in 387.200, RSMo.**

**(3) Unless otherwise ordered by the commission, rates and charges for household goods transportation wholly within a municipality or between contiguous municipalities, or wholly within a commercial zone shall not be based on distance rates.**

*[(3)]* **(4)** A common carrier of household goods shall collect its lawful freight charges prior to or at the time of the delivery of the shipment(s), on which the charges have accrued. This shall not be construed to prohibit any common carrier from extending credit in connection with rates and charges on freight transported for the United States, or any department, bureau or agency of the United States, or for Missouri, or any department, bureau or agency of Missouri. Upon taking precautions deemed by them to be sufficient to assure payment of the tariff charges within the credit period specified, common carriers of household goods may relinquish possession of freight in advance of the payment of the tariff charges and may extend credit in the amount of the charges to those who undertake to pay them, these persons being called shippers for a period of fifteen (15) days, excluding Saturdays, Sundays and legal holidays. When the freight bill covering a shipment of household goods is presented to the shipper on or before the date of delivery, the credit period shall run from the first twelve o'clock midnight (12:00 a.m.) following delivery of the freight. When the freight bill is not presented to the shipper on or before the date of delivery, the credit period shall run from the first twelve o'clock midnight (12:00 a.m.) following the presentation of the freight bill. Where a common carrier of household goods has relinquished possession of freight and collected the amount of tariff charges presented by it as the total amount of the charges and another freight bill for additional freight charges is presented to the shipper, the carrier may extend credit in the amount of the additional charges for a period of thirty (30) calendar days, to be computed from the first twelve o'clock midnight (12:00 a.m.) following the presentation of the subsequently presented freight bill. Freight bills for all household goods transportation charges shall be presented to the shippers within seven (7) calendar days from the first twelve o'clock midnight (12:00 a.m.) following delivery of the freight. Shippers may elect to have their freight bills presented by means of the United States mail, and, when the mail service is so used, the time of mailing by the carrier shall be deemed to be the time of presentation of the bills. The mailing by the shipper of valid checks, drafts or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit period allowed the shipper may be deemed to be the collection of the tariff rates and charges within the credit period for the purpose of this rule. In case of dispute as to any time of mailing, the postmark shall be accepted as showing the time.

*[(4)]* **(5)** The following shall apply to the handling of cash on delivery (C.O.D.) shipments of household goods:

(A) This section applies to the transportation by motor vehicle of C.O.D. shipments by all common carriers of household goods except transportation which is auxiliary to or supplemental of transportation by railroad and performed on railroad bills of lading;

(B) No common carrier of household goods shall render any C.O.D. service unless the carrier has published, posted and filed tariffs which contain the rates, charges and rules governing that service, which rules shall conform to these regulations;

(C) Every common carrier of household goods shall remit each C.O.D. collection directly to the consignor or other person designated by the consignor as payee promptly and within ten (10) days after delivery of the C.O.D. shipment to the consignee. If the C.O.D. shipment moved in interline service, the delivering carrier, at the time of remittance of C.O.D. collections to the consignor or payee, shall notify the originating carrier of the remittance; and

(D) Every common carrier handling C.O.D. shipments of household goods as a delivery carrier shall maintain a record of all C.O.D. shipments received for delivery in a manner and form as plainly and readily will show the following information with respect to each shipment:

1. Number and date of freight bill;
2. Name and address of shipper or other person designated as payee;
3. Name and address of consignee;
4. Date shipment delivered;
5. Amount of C.O.D.;
6. Date collected by delivering carrier;
7. Date remitted to payee; and
8. Check number or other identification of remittance to payee.

*[(5)]* **(6)** An invoice or billing statement shall be issued for each shipment of household goods transported by a common carrier. No specific form is prescribed, but this bill when presented to consignee and to consignor when charges are prepaid shall include within its written or printed terms the following information with respect to the covered shipment:

(A) Name of shipper and point of origin;

(B) Name of consignee and destination;

(C) Date of shipment;

(D) An adequate description of property transported;

(E) Weight of the shipment**, if applicable**;

(F) Rate(s) charged for the service;

(G) Any other charge incident to the transportation and sufficient information in connection with the charge to enable verification of the accuracy of that charge; and

(H) Name of transfer point(s) and name or initial of each carrier participating in the haul when transportation is performed jointly by two (2) or more carriers.

*[(6)]* **(7)** Every common motor carrier of passengers providing intrastate charter service shall issue an expense bill for each chartering group's trip, containing the following information:

(A) Serial number, consisting of one (1) of a series of consecutive whole numbers assigned in advance and imprinted on the bill;

(B) Name of carrier;

(C) Name of the chartering group for which transportation is performed and, if different, the payer for the transportation service;

(D) Date(s) transportation is performed;

(E) Origin, destination and general routing of trip;

(F) Identification and seating capacity of each vehicle used;

(G) Name of each driver transporting the group;

(H) Mileage upon which charges are based, including any deadhead mileage, separately noted; and

(I) The total and itemized rates and charges for the transportation, and any other charges incidental to the transportation.

*[(7)]* **(8)** Except as otherwise provided in this rule, the driver of each vehicle operated by any common carrier of household goods shall have possession, for inspection upon demand by any law enforcement officer or authorized inspector, of a bill of lading as required under *[4]* **7** CSR 265-10.080(3) for each shipment of household goods being transported listing all shipments of household goods on the vehicle.

*[(8)]* **(9)** A copy of all expense bills, delivery receipts, and any other shipping records or passenger trip records issued by a motor carrier subject to the *[division's]* **commission's** jurisdiction, with reference to transportation by motor vehicles within Missouri, shall be kept on file in the Missouri office of the carrier issuing the shipping records for not less than two (2) years after the date of issuance of the shipping records. Each common carrier of passengers in charter service shall maintain a complete file of consecutively numbered expense bills for inspection and audit by the *[division]* **commission**.

*[(9)]* **(10)** Every regular route common carrier of passengers shall publish, post and file time schedules in accordance with the following:

(A) Time schedules shall be printed or typewritten on good quality paper size eight and one-half by eleven inches (8 1/2" × 11");

(B) The title page must be made up as follows:

1. Time schedules must be numbered consecutively beginning with number one (1) and must show the number of the time schedule, if any, cancelled thereby. The number shall be shown in the upper right-hand corner;

2. Name of the passenger carrier;

3. The terminals or points between which the time schedule applies briefly stated;

4. Date issued and date effective; and

5. The name, title and address of the official issuing the time schedule, including street address;

(C) The time schedule must show—

1. The time of arrival at and departure from all terminals and the time of departure from intermediate points between terminals;

2. The distance between all points shown in the time schedule; and

3. Points at which vehicles do not regularly stop, except on signal or under other conditions, with proper indication of service rendered at that point. Regular rest stops must also be indicated;

(D) Two (2) copies of all time schedules shall be filed with the *[division]* **commission**; one (1) copy shall be posted in a conspicuous place at each station or stopping place affected; and one (1) copy shall be in the possession of the driver operating the vehicle;

(E) All time schedules shall be filed with the *[division]* **commission** and shall be posted at each station or stopping place as required by subsection *[(11)]***(10)**(D), at least fifteen (15) days before the date upon which they are to become effective, unless otherwise authorized by the *[division]* **commission**. In case of actual emergency or for other good cause shown, the *[division]* **commission** may permit a time schedule to be filed and posted on less than fifteen (15) days' notice, in which case the time schedule must show on its title page, directly under the effective date, the number and date of the special authority or order of the *[division]* **commission** permitting the short notice filing and posting; and

(F) Time schedules received for filing too late to give the *[division]* **commission** fifteen (15) days' notice or a shorter notice as may otherwise be authorized, or which do not refer to the number and date of the special authority or order for the short notice, will not be accepted for filing.

*[(10)]* **(11)** Where a motor carrier of household goods is authorized to serve a city, town, municipality or village in regular route service, the authority shall include the commercial zone of the city, town, municipality or village subject to the following*[.]***—**

(A) Where a motor carrier of household goods is authorized to serve an unincorporated community as a regular route point, those points shall include the area within two (2) miles of the point;

(B) Where a motor carrier of household goods is authorized to serve regular route points designated as specific businesses, such as a grocery, filling station, cafe, or the like, plant or industrial site, highway intersections, these limited grants do not imply a commercial zone; *[and]*

(C) A grant of irregular route authority to a motor carrier does not include any authority to serve any point located outside the geographic scope of that irregular route as described in the carrier's certificate or permit. A carrier is not authorized to serve any point outside the described irregular route merely because that point is within a city, town, municipality, village, commercial zone, unincorporated community or surrounding area which includes other points that are located within the described irregular route*[.]***; and**

**(D) A grant of irregular route authority to transport household goods wholly within a commercial zone does not authorize the carrier to operate anywhere outside the boundary of that commercial zone.**

*[(11)]* **(12)** Where a highway over which a motor carrier of passengers is authorized to operate in regular route service is temporarily obstructed or rendered unsafe by flood, slides or other causes over which the carrier has no control or which highway or bridges on that highway are subject to weight restrictions by proper authority, the carrier may deviate from its designated route to the extent necessary to avoid the obstruction or restriction, but shall not provide service to, from or between any points which it is not otherwise authorized to serve.

*[(12)]* **(13)** All intrastate transportation provided for hire by a motor carrier who is subject to the jurisdiction of the *[division]* **commission** under Chapter 390, RSMo shall be presumed to be transportation subject to the *[division's]* **commission's** jurisdiction, except

when the carrier has removed or covered up all vehicle markings which display the number of the motor carrier's certificate or permit on each vehicle while being used for exempt transportation. This requirement is deemed to be reasonably necessary to distinguish exempt activities from regulated transportation activities pursuant to the carrier's certificate or permit.

*[(13)]* **(14)** Every motor common carrier who receives a written claim for loss or damage to passengers or baggage transported by it shall acknowledge receipt of that claim, in writing, to the claimant within thirty (30) calendar days after the carrier receives the written claim. The carrier, at the time the claim is received, shall cause the date of receipt to be recorded on the claim and shall maintain a claim register. The carrier, within one hundred twenty (120) days after the receipt of the claim, shall tender payment, decline payment or make a firm compromise settlement offer in writing to the claimant.

*AUTHORITY: section 622.027, RSMo [1994]* ***2000****. This rule originally filed as 4 CSR 265-10.050. Emergency rule filed June 14, 1985, effective July 1, 1985, expired Oct. 28, 1985. Original rule filed Aug. 1, 1985, effective Oct. 29, 1985. For intervening history, please consult the* ***Code of State Regulations****. Emergency amendment filed Sept. 13, 2007, effective Oct. 3, 2007, expires March 30, 2008. Amended: Filed Sept. 13, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pam Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 7—DEPARTMENT OF TRANSPORTATION
## Division 265—Motor Carrier and Railroad Safety
## Chapter 10—Motor Carrier Operations

### PROPOSED AMENDMENT

**7 CSR 265-10.080 Rules Governing the Transportation of Household Goods**. The Missouri Highways and Transportation Commission is amending the Purpose and sections (1), (3), (6), (7), (8), (9) and (10) of this rule and removing one (1) form.

*PURPOSE: This proposed amendment eliminates the requirement to file agency agreements with the commission, updates proper agency references, clarifies exclusive use and space reservation, and eliminates the consumer from signing a form for exclusive use or space reservation service. These changes clarify and simplify the requirements for motor carriers transporting household goods.*

*PURPOSE: The [Division of]* ***Missouri Highways and*** *Transportation* ***Commission*** *has authority to establish rules concerning motor carrier operations. This rule sets forth definitions of terms used by that segment of the motor carrier industry which transports household goods, requires the distribution of an informational pamphlet, provides for the preparation of inventories, sets forth the requirements of a bill of lading, establishes guidelines for delivery when actual charges exceed estimated charges, establishes guidelines for handling claims for loss or damage to property, [provides for the filing of agency agreements,] establishes guidelines for record keeping and requires tariff provisions pertaining to exclusive use of vehicles and reservations for a portion of a vehicle. This rule is promulgated to protect the consumer when utilizing household goods carriers.*

(1) The following definitions are applicable to the transportation of household goods in intrastate commerce:

(C) Household goods carrier means the holder of a certificate of public convenience and necessity issued by this *[division]* **commission** either specifically authorizing the transportation of household goods *[or authorizing the transportation of general commodities]* and the carrier has filed with the *[division]* **commission** rates, charges and rules concerning the transportation of household goods; and

(3) Every household goods carrier who receives household goods for transportation shall issue and provide to the shipper a bill of lading for these goods, which bill of lading shall contain, at a minimum, the following information:

(B) *[Division of Transportation certificate]* **United States Department of Transportation (USDOT)** number and bill of lading number;

(6) Agency Agreements.

*[(A) Each household goods carrier shall file with the division a copy of all active agency agreements in which it is acting as a principal-carrier.]*

*[(B)]* All agency agreements shall be in writing and signed by both the principal-carrier and the agent. Agreements will be **made** available *[by]* **to** the *[division]* **commission** for public inspection.

(7) Each household goods carrier, whether or not it operates as a principal-carrier, shall maintain a complete file of consecutively numbered bills of lading for not less than two **(2)** years after the date of issuance for inspection and audit by the *[division]* **commission**. A separate series of bills **of lading** may be used for different agents. All correspondence, complaints and claims relating to particular movements of household goods shall be the responsibility of the household goods carrier under whose authority the transportation was performed.

(8) A household goods carrier, by a tariff filed with and approved by the *[Division of Transportation]* **commission**, may provide for exclusive use service. For purposes of this rule, the term exclusive use service means a transportation service in which only those household goods designated by the shipper shall be loaded on the vehicle. *[Subject to the carrier's equipment availability, a shipper may reserve a portion of the capacity of a vehicle by ordering a specific quantity of space.]* The charge for the service shall be based on the *[actual cubic feet occupied by the shipment]* **length of the vehicle ordered** in accordance with a tariff filed with and approved by the *[Division of Transportation]* **commission**. **If the carrier is unable to furnish a vehicle of specific length ordered and furnishes a longer vehicle, the charge to the shipper shall be based on the specific length ordered not on the vehicle length provided by the household goods carrier.**

**(9)** *[The]* **Subject to the availability of carrier equipment, the shipper may reserve a portion of the space of a vehicle. Space reservation** service shall be offered at seven (7) pounds per cubic foot, with a minimum space to be reserved of not less than one hundred fifty (150) cubic feet, and a maximum total space to be reserved of not more than one thousand (1,000) cubic feet with the following cubic feet increments:

**Personal Effects and Property Used or to be Used in a Dwelling When a Part of the Equipment or Supply of the Dwelling:**

150 cubic feet or less . . . . . .1,050 pounds
200 cubic feet . . . . . .1,400 pounds
300 cubic feet **or less** . . . . . .2,100 pounds
400 cubic feet . . . . . .2,800 pounds
500 cubic feet **or less** . . . . . .3,500 pounds
600 cubic feet . . . . . .4,200 pounds
700 cubic feet **or less** . . . . . .4,900 pounds
800 cubic feet . . . . . .5,600 pounds
900 cubic feet **or less** . . . . . .6,300 pounds
1,000 cubic feet . . . . . .7,000 pounds

**(10)** If a shipper elects to use space reservation service or exclusive use service for the transportation of personal effects and property used or to be used in a dwelling when a part of the equipment or supply of the dwelling, the **household goods** carrier shall document the fact that s/he or his/her agent explained these types of service to the shipper or his/her representative and that the shipper or his/her representative elected to use space reservation or exclusive use service. *[The attached form, Appendix A, signed by the shipper will satisfy the requirements of this rule.]* **The agreed upon loading dates, delivery dates, vehicle size, shipment weight and costs of space reservation or exclusive use service shall be specified on the bill of lading.**

***[Appendix A***
***Moving Company Name***
***Types of Service Offered***

*Dear Prospective Shipper:*

*For movements of household goods within Missouri there are four types of service that you may choose from. YOUR MOVING COMPANY REPRESENTATIVE WILL EXPLAIN EACH TYPE OF SERVICE IN DETAIL. Your choice will depend upon your individual need. Your signature is required only if you select option three or option four. An example of the four different types of service and their costs is outlined below. This example is based on the line haul charges from St. Louis to Jefferson City or 122 miles based on a weight of 2500 lbs. for the following options:*

***OPTION ONE***

***Service at Example Weight*** ***Service at Estimated Weight***

*SERVICE WILL BE PERFORMED* ***WITHOUT*** *AGREED PICKUP OR DELIVERY DATES WHEN YOUR SHIPMENT WEIGHS LESS THAN 5000 POUNDS.*

*ACTUAL WEIGHT*

*AGREED LOADING DATES: May 1, 1982* *LOADING DATES _____*

*AGREED DELIVERY DATES May 2, 1982* *DELIVERY DATES _____*

***OPTION TWO***

***Specific Day Service At Example Weight*** ***Specific Day Service Actual***

*MINIMUM CHARGE SHALL BE BASED ON 5000 POUNDS.*

*Example Weight and Charges 2500 as 5000 × 12.23 = $611.50* *Cost _____*

*AGREED LOADING DATES: May 1, 1982* *LOADING DATES _____*

*AGREED DELIVERY DATES May 2, 1982* *DELIVERY DATES _____*

***OPTION THREE***

***Space Reservation*** ***Space Reservation***

*BASED UPON A MINIMUM OF 150 CUBIC FEET AT 7 POUNDS PER CUBIC FOOT OFFERED IN INCREMENTS OF 100 CUBIC FEET TO A MAXIMUM OF 1000 CUBIC FEET (2500 lbs. + 7 lbs. per cubic foot or 400 cubic feet = 2800 × 15.01 = $400.28).*

*AGREED LOADING DATES: May 1, 1982* *LOADING DATES _____*

*AGREED DELIVERY DATES _____* *DELIVERY DATES _____*

***OPTION FOUR***

***Exclusive Use of a Vehicle*** ***Exclusive Use Actual***

***(No other goods shall be loaded on the vehicle with yours.)***

*VEHICLE SIZE 14 Foot Van* *VEHICLE SIZE _____*

*SHIPPING WEIGHT (minimum 5000 × 12.23 = $611.50)* *SHIPPING WEIGHT _____*

*(1000 as 8000 × 10.24 = $819.24)*

*AGREED LOADING DATES: May 1, 1982* *LOADING DATES _____*

*AGREED DELIVERY DATES _____* *DELIVERY DATES _____*

***The four options above have been explained to me and I have chosen***

***Option*** _____ .

_____

*Shipper's Signature]*

*[Optional service offerings are available dependent upon the particular needs of the shipper. If a shipper elects to use space reservation service or exclusive use service for the transportation of personal effects and property used or to be used in a dwelling when a part of the equipment or supply of the dwelling, the carrier is required to obtain the shipper's signature on a form to insure that the options have been explained to the shipper and that the shipper has chosen a specific service.]*

*AUTHORITY: section 622.027, RSMo [1994]* ***2000****. This rule was previously filed as 4 CSR 265-10.070 and 4 CSR 265-10.080. Emergency rule filed June 14, 1985, effective July 1,1985, expired Oct. 28, 1985. Original rule filed Aug. 1, 1985, effective Oct. 29, 1985. For intervening history, please consult the* ***Code of State Regulations****. Emergency amendment filed Sept. 13, 2007, effective Oct. 3, 2007, expires March 30, 2008. Amended: Filed Sept. 13, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

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*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Pam Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 7—DEPARTMENT OF TRANSPORTATION
## Division 265—Motor Carrier and Railroad Safety
## Chapter 10—Motor Carrier Operations

## PROPOSED RULE

### 7 CSR 265-10.120 Household Goods Tariffs

*PURPOSE: This rule will eliminate antiquated tariff requirements and implement a streamlined tariff filing process for motor carriers transporting household goods.*

(1) Definitions. As used in this chapter the following words and terms mean:

(A) Adoption notice—A formalized statement adopting a tariff or supplement when the operating authority, ownership or control of a carrier is transferred from one company or entity to another or when the true name, trade name or fictitious name is changed;

(B) Item—A particular provision or rate in a tariff or supplement. Each item is given an "item number;"

(C) Rate—The price or charge for a motor carrier's transportation and household goods moving-related services;

(D) Section—One or a series of consecutive items in the tariff, which is identified as a group;

(E) Supplement—One or more new pages of the tariff that contain any amendment, correction, addition or cancellation to all or part of a tariff. After a supplement is filed with the commission's tariff office, it becomes a part of the tariff it supplements;

(F) Tariff—A written schedule containing rates and related rules, regulations or other provisions published by one (1) or more motor carriers;

(G) Tariff office—The office within the Missouri Department of Transportation, Motor Carrier Services Division, which is delegated by the commission to process motor carrier tariffs;

(H) Tariff agent—A person, association or other entity (other than the motor carrier or its employee) authorized to publish and file rates, tariffs, supplements and provisions on behalf of a carrier; and

(I) Valuation—Level of liability assumed by the motor carrier for loss or damage of household goods.

(2) General Requirements. All statements in a tariff or supplement shall be in clear and precise terms regarding the rates and rules as necessary to remove all doubt as to the proper application. The tariff shall contain any exceptions to the application of rates and charges. The commission reserves the right to require a tariff or any item in the tariff to be modified, corrected or reissued. Any erroneous statement of fact or of law contained in a tariff shall not be binding or controlling upon the commission, even if the commission has approved the tariff. Unless otherwise specified, the term tariff includes all current supplements to the tariff.

(3) Form and Size of Tariffs. Except as expressly provided otherwise, all tariffs shall conform to these requirements:

(A) Tariffs shall be typed on durable paper measuring eight and one-half inches by eleven inches (8 1/2" × 11"). The type style shall be easily readable. Every tariff page shall contain a left margin of not less than one inch (1");

(B) Tariffs consisting of four (4) pages or less may be permanently bound or stapled on the left margin only. Tariffs consisting of more than four (4) pages and all supplements shall not be permanently bound, but may be loose-leaf bound in the left margin only;

(C) Every page including the title page shall show the tariff number in the upper left hand corner and the original or revised page number in the upper right hand corner of the page;

(D) Each page shall show at the bottom of the page the date when issued, the effective date and the name, address and telephone number of the carrier or tariff agent issuing the tariff;

(E) A tariff that consists of more than four (4) pages must be printed on one (1) side only and each page shall be consecutively numbered; and

(F) Each section shall be listed in item number order.

(4) Number of Copies. The carrier or its tariff agent shall send one (1) copy only of each tariff or supplement for official filing with the commission.

(5) If the tariff or supplement is filed by any tariff agent, employee or other person on behalf of the motor carrier, then the person shall sign the letter of transmittal, which shall state that the person is authorized to act on behalf of the motor carrier to file the tariff or supplement.

(6) Legal Rate to be Charged. The carrier shall charge for its household goods mover services only the rates specified in the tariff provisions in effect at the time the carrier provides that service.

(7) Effective Date of Tariffs or Supplements.

(A) When the tariff or supplement is filed with the commission, it is deemed to be approved by the commission on the effective date stated in the tariff or supplement without further action of the commission.

(B) The commission may suspend the tariff or supplement with or without a hearing either before or after its effective date. The commission may set aside the tariff or supplement after hearing as provided by law.

(C) Before the effective date of the tariff or supplement, the carrier or its agent may rescind the filing by letter or notice to the commission.

(D) The effective date for increases in rates and charges shall not be less than two (2) days after the tariff is received in the commission's tariff office.

(E) The effective date for decreases in rates and charges shall not be less than one (1) day after the tariff or supplement is received in the commission's tariff office.

(F) If the tariff is issued with reference to a commission decision, action or order, the effective date shall be on or after the effective date of the decision or order.

(G) If the commission tariff office receives a tariff or supplement on which the stated effective date is earlier than this section requires, then the commission may, with approval from the carrier or its tariff agent, strike the stated effective date and insert the earliest effective date as authorized by this section or any later effective date approved by the carrier or its tariff agent.

(H) The commission's receipt and filing of a tariff or supplement does not relieve the carrier from liability for any violation of or noncompliance with applicable laws, rules or orders of the commission, nor from the liability for any actions or omissions by a common carrier in reliance upon an unlawful, invalid or erroneous tariff or supplement.

(8) Parts of a Tariff.

(A) A tariff shall contain the following parts except as otherwise provided in subsection (8)(H) of this rule:

1. A title page;
2. Index table, section 1;
3. List of participating carriers, section 2;
4. Each participating carrier's operating authority granted by the commission, section 3;
5. The carrier's rules that pertain to the application of the tariff, section 4;
6. Rates, section 5 or higher;
7. Supplements; and
8. Any adoption notice.

(B) Title Page. The title page of every tariff shall include the following items in the order named:

1. MO number. Each carrier or tariff agent shall assign to each tariff a consecutive serial number starting with one (1) for a new authority granted by the commission to a carrier. Example: "MO 1." If a new tariff is filed to replace a tariff being cancelled, the title page should show the new MO number and directly under that number state that it "Cancels MO (number)." Example: "MO 2 Cancels MO 1." A separate series of MO numbers shall be used for tariffs filed on behalf of more than one (1) participating carrier;

2. Name of carrier. The true name of the carrier as registered with the commission plus the carrier's trade name or dba (doing business as) name. If more than one (1) carrier participates in the tariff, then the name of the carrier shall be omitted from the title page;

3. Description of service. A short description of the type of service for which the tariff applies and the territory or points between which the tariff applies. For example: "Transportation of Household Goods within Commercial Zone(s);"

4. Effective date. Each tariff shall contain the date the tariff was printed and the effective date when the tariff will take effect;

5. Tariffs issued with reference to a commission decision. If a new tariff is required to be filed pursuant to a commission decision or order, the title page of the tariff shall contain a reference to that decision or order; and

6. Person issuing the tariff. At the bottom of the title page, list the name, address and telephone number of the carrier or its tariff agent who prepared the tariff.

(C) Index Table. The index table shall be designated as section 1. The index table shall be alphabetized by subject and shall specify the item and page number where information by subject may be found within the tariff. If the tariff is four (4) pages or less in length, the index table may be omitted.

(D) List of Participating Carriers. When more than one (1) carrier participates in the same tariff, the tariff shall include a list of every participating carrier which shall be designated as section 2 of the tariff. For each participating carrier, the list shall clearly identify the carrier's name, United States Department of Transportation (USDOT) number and every tariff section or item number that applies to the participating carrier. A tariff filed on behalf of a single carrier may omit section 2.

(E) Statement of Operating Authority. Each tariff shall include a statement of operating authority for each participating carrier, which shall be designated as section 3 of the tariff.

(F) Rules Affecting the Tariff.

1. Each tariff shall include a separate section, which shall be designated as section 4 and shall contain rules used to define terms and service or to explain what conditions would apply to a rate, charge or service. A special rule affecting a particular item or rate shall refer to that rate. Any rule that applies to one (1) or more specific rates must refer to the item numbers of all rates affected by that rule.

2. Each rule shall be identified by a separate item number.

3. No rule shall refer to a rate in any other tariff.

4. If the carrier intends to charge any rates based on mileage, then the rules section of the tariff shall identify the mileage guide or other reference which the carrier will use to determine mileage. The carrier shall not use or refer to any mileage guide or other reference not approved by the commission.

5. Items with the tariffs shall not result in conflicting rates, charges or provisions.

(G) Rates and Charges.

1. Rates and charges shall be plainly stated in United States monetary denominations.

2. If applicable, minimum charges for providing service shall be included.

3. The carrier shall charge and receive U.S. currency, not commodities or services, in exchange for transportation services.

4. This section of the tariff shall include the method by which the rates are determined.

5. Complicated plans or ambiguous terms shall not be used. Rates may be included for vehicles of differing size or differing use of manpower. Differing rates cannot be used for similar cost of operation.

6. A motor carrier shall not offer any discounted or reduced rates or charges except in accordance with the applicable terms and conditions in that carrier's tariff. The terms and conditions for any discounted or reduced rates shall be reasonable, and shall not unfairly discriminate between or result in any undue preference or prejudice to persons who are similarly situated.

7. Rates or charges that divide or attempt to divide this state into territorial rate areas are unjust, unreasonable and invalid.

8. No carrier shall offer or provide free transportation, except as authorized by section 387.120, RSMo.

9. The motor carrier shall include in its tariff the rates and charges for any and all services the carrier provides in connection with the transportation of household goods.

(H) Supplements.

1. Any amendment, correction or change to the tariff is published as a supplement. Any amendment, correction or change to the tariff shall require the reprinting only of the page(s) where the change occurs. The supplement will cancel and replace the old page(s) of the tariff.

2. Any amendment, correction or change shall be shown in bold letters to symbolize the amendment, correction or change in the item within the supplement or tariff to be approved. The word "Revised" will be typed in bold letters in front of the item number being amended, corrected or changed.

3. When changes are needed to a tariff that is four (4) pages or less, a new tariff shall be filed to cancel and replace the prior one instead of filing supplement page(s).

4. Every supplement page shall show at the upper right hand corner of the page the revised page number and the page number of the page being replaced. For example: "First Revised Page 1

Cancels Original Page 1" or "Second Revised Page 1 Cancels First Revised Page 1."

5. If an additional page needs to be added between numbered pages, the additional page shall be given the same number as its preceding page plus an alpha letter. For example: "Page 6, Page 6-A, Page 6-B."

6. If an item within the tariff is cancelled, the page is reprinted and the information within the item is left blank. The word "Cancelled" will be typed in bold letters in front of the item number being cancelled. Once an item number has been cancelled or expired, the item number shall not be used again in the same tariff. The "Cancelled" item number will remain in the tariff and shown in subsequent supplements.

(I) Adoption Notice.

1. A new title page will be created and filed with the commission's tariff office when the ownership or name of the carrier has changed. The title page will include the title "Adoption Notice" and contain the following description statement: "The (name of carrier) hereby adopts, ratifies and makes it own, in every respect as if it had been originally filed by it, all tariffs, supplements, amendments, rules and regulations filed with the Missouri Highways and Transportation Commission by the (former carrier name) prior to (date) for Tariff Number MO (number)."

2. The adoption notice shall become effective on not less than one (1) day's notice after the adoption notice is received in the commission's tariff office.

(9) Pursuant to this rule, a carrier or a tariff agent shall deliver for filing all tariff and supplement documents to the commission's tariff office by any of the following methods: personal delivery, U.S. mail, express courier delivery, photocopies, facsimile (FAX) copies, electronic mail (email) or other approved electronic media. A carrier or tariff agent that offers photocopies, FAX copies, or electronic documents for filing shall be bound by them as if they were originals.

(10) A tariff or supplement filings may be rejected by commission staff if: 1) the tariff or supplement fails to give lawful notice before the effective date (two (2) day's notice for an increase and one (1) day's notice for a decrease) of changes in rates or provisions; 2) fails to meet the requirements of any regulation; 3) violates any decision, order or rule of the commission or of a court; or 4) violates any applicable statute. A written explanation of the reason(s) for the rejection will be provided to the motor carrier when the commission staff rejects a tariff or supplement. The rejected tariff or supplement will not be returned but shall be retained in the commission's tariff office. Written appeals of the rejection may be filed with the commission or a hearing may be requested in writing, not later than thirty (30) days after the effective date shown above, with the Missouri Administrative Hearing Commission.

(11) When a tariff is in effect and discrepancies are found within the tariff, the tariff or specific items in the tariff may be suspended by order of the commission. Any tariff, schedule or item suspended shall not be used while under suspension. The carrier or tariff agent shall immediately file a supplement or amendment quoting the items, rules and pages that were suspended. The supplement shall be effective on one (1) day's notice. If the item, tariff or supplement is later required to be cancelled, the carrier will comply with the cancellation requirements established in subsection (8)(H) of this rule.

*AUTHORITY: section 622.027, RSMo 2000. Emergency rule filed Sept. 13, 2007, effective Oct. 3, 2007, expires March 30, 2008. Original rule filed Sept. 13, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($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 Missouri Department of Transportation, Pam Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
## Division 10—Division of Employment Security
## Chapter 6—Veterans' Unemployment Compensation Program

## PROPOSED RULE

**8 CSR 10-6.010 Veterans' Unemployment Compensation Program**

*PURPOSE: This rule establishes the standards and procedures for the provision of state-funded unemployment compensation to war on terror veterans. This rule implements section 288.042, RSMo.*

(1) Program Title. The provisions of section 288.042, RSMo providing state-funded unemployment compensation benefits to war on terror veterans shall hereinafter be referred to as the "Missouri Veterans' Unemployment Compensation Program."

(2) Funding. Subject to appropriation and the availability of funds, all expenditures for the Missouri Veterans' Unemployment Compensation Program, including expenditures for administrative expenses, veterans' unemployment compensation benefits, and refunds of erroneous fines, shall be paid from state funds deposited in the "War on Terror Unemployment Compensation Fund."

(3) Definitions. As used in this rule, except as otherwise required for the context, the following terms shall have the meanings ascribed:

(A) "Applicant" means an individual who files with the division an application for determination of entitlement to veterans' unemployment compensation;

(B) "Deputy" means a representative of the division designated to make investigations, administrative determinations, and assessments concerning applications for veterans' unemployment compensation and employer administrative penalties;

(C) "Division" means the Missouri Division of Employment Security;

(D) "Director" means the director of the Missouri Division of Employment Security; and

(E) "Employed" means engaged to perform services for wages under any contract of hire whether written, oral, express, or implied. In determining whether an employer-employee relationship existed, the division shall apply the common law right of control test. In applying such test, the division shall consider Missouri and federal case law, United States Treasury regulations, and Internal Revenue Service revenue rulings;

(F) "Employer" means any individual, partnership, corporation, or other legal entity which has or had in its employ one or more individuals performing services for wages or under any contract of hire whether written, oral, express, or implied;

(G) "Wages" means all remuneration paid for personal services including commissions, bonuses, gratuities, severance pay, vacation pay, holiday pay, and the cash value of all remuneration paid in any medium other than cash; and

(H) "War on terror veteran" is an individual who meets all of the following criteria:

1. The individual is a Missouri resident who serves or has served in the United States military;

2. The individual is or was a member of the National Guard or a member of a United States armed forces reserves unit who was officially domiciled in the state of Missouri immediately prior to deployment;

3. The individual was deployed as part of his or her military unit at any time after September 11, 2001, and such deployment caused the individual to be unable to continue working for his or her non-military employer;

4. The individual was employed either part-time or full-time before deployment; and

5. A Missouri court or United States district court located in Missouri has found that the individual was discharged from or laid off from his or her non-military employment during deployment or within thirty (30) days after the completion of his or her deployment. Such court judgment must be final. For purposes of this rule, the individual shall be considered to have been discharged from his or her non-military employment if he or she is not offered the same wages, benefits, and similar work schedule upon his or her return after deployment.

(4) Benefit Entitlement. Subject to appropriation and availability of funds in the War on Terror Unemployment Compensation Fund, any war on terror veteran shall be entitled to receive veterans' unemployment compensation benefits pursuant to section 288.042, RSMo and this rule. A war on terror veteran shall be entitled to a weekly benefit amount of eight percent (8%) of the wages paid to the war on terror veteran during the calendar quarter in which the war on terror veteran earned the highest amount within the five (5) completed calendar quarters in which the war on terror veteran received wages immediately before deployment. However, the maximum weekly benefit amount shall not exceed one thousand one hundred fifty-three dollars and sixty-four cents ($1,153.64). A war on terror veteran shall be entitled to receive a weekly benefit amount for twenty-six (26) weeks.

(5) Payment of Benefits. At the discretion of the division, all veterans' unemployment compensation benefits payable to a war on terror veteran shall be paid either by means of electronic funds transferred directly into an account at a financial institution designated by the war on terror veteran or by issuance of a debit card to the war on terror veteran. As directed by a deputy, a war on terror veteran shall complete a direct deposit application form authorizing the division to directly deposit veterans' unemployment compensation benefit payments into a designated checking or savings account. A war on terror veteran may change the designated checking or savings account by completing and transmitting to the division a new direct deposit application form. If a deputy directs a war on terror veteran to complete a direct deposit application form, the division shall not pay veterans' unemployment compensation benefits to the war on terror veteran until such time as he or she has completed and returned to the division the completed direct deposit application form.

(6) Application to the Program. Individuals desiring to claim veterans' unemployment compensation benefits shall file with the division, on an approved form included herein, an Application for Missouri Veterans' Unemployment Benefits for determination of entitlement to veterans' unemployment compensation benefits. A deputy shall examine each such application to determine if the applicant is entitled to veterans' unemployment compensation benefits. If the deputy determines that the applicant is entitled to receive veterans' unemployment compensation benefits, the deputy shall also determine the applicant's weekly benefit amount. The applicant shall bear the burden of proving his or her entitlement to veterans' unemployment compensation benefits. The division shall mail a copy of the deputy's determination to the applicant at the applicant's last known address. If the applicant is aggrieved by the deputy's determination, the applicant may appeal the determination by filing an appeal with the division. The appeal must be filed in accordance with the provisions of section (10) of this rule.

(7) Recovery of Overpaid Benefits. Any individual who, by reason of error, omission, or misrepresentation of a material fact, has received veterans' unemployment compensation to which he or she is not entitled shall, in the discretion of the division, either be liable to have such sums deducted from any future veterans' unemployment compensation benefits payable pursuant to section 288.042, RSMo and this rule or shall be liable to repay to the division for the War on Terror Unemployment Compensation Fund a sum equal to such veterans' unemployment compensation so received by such individual. In addition, to other remedies provided by law and this rule, the division shall pursue recovery of overpaid veterans' unemployment compensation benefits through setoffs against state income tax refunds. The division shall pursue recovery of overpaid veterans' unemployment compensation benefits through setoffs against federal income tax refunds as permitted by federal law.

(A) A deputy shall issue an assessment to any individual who has received veterans' unemployment compensation benefits to which he or she is not entitled. Such assessment shall be made and served in the manner provided in section 288.160, RSMo. Within thirty (30) days of the date of service or mailing of the assessment, the individual may file a petition for reassessment with the division. The petition for reassessment must be filed in accordance with the provisions of section (10) of this rule.

(B) If the overpaid veterans' unemployment compensation benefits are not repaid and the assessment of such overpaid benefits has become final, the division may file for record in the office of the clerk of the circuit court in the county in which the individual resides, or any other county in which the individual has property, or all of them, a certificate specifying the amount of overpaid veterans' unemployment compensation benefits in the manner provided in section 288.170, RSMo. From the time of the filing of such certificate, the amount of overpaid veterans' unemployment compensation benefits specified therein shall have the force and effect of a judgment of the circuit court until the same is satisfied by the division through its duly authorized agents. Execution shall be issuable at the request of the division, its agent or attorney as is provided in the case of other judgments. No exemption shall be allowed from the levy of an execution issued for such overpaid veterans' unemployment compensation benefits and no indemnifying bond shall be required by the sheriff before making levy. If the individual defaults in the payment of such overpaid veterans' unemployment compensation benefits, the division may file a civil action or take such other action as provided by law to collect the overpaid benefits.

(8) Employer Penalties. Any employer who is found in any Missouri court or United States district court located in Missouri to have terminated, demoted, or taken an adverse employment action against a war on terror veteran due to his or her absence while deployed shall be subject to an administrative penalty in the amount of thirty-five thousand dollars ($35,000). Such court judgment must be final. In addition, to other remedies provided by law and this rule, the division shall pursue collection of the administrative penalty through setoffs against state income tax refunds. The division shall also pursue collection of the administrative penalty through setoffs against federal income tax refunds as permitted by federal law.

(A) A deputy shall issue an assessment to any such employer for the administrative penalty in the amount of thirty-five thousand dollars ($35,000). Such assessment shall be made and served in the manner provided in section 288.160, RSMo. Within thirty (30) days of the date of service or mailing of the assessment, the employer may file a petition for reassessment with the division. The petition for reassessment must be filed in accordance with the provisions of section (10) of this rule.

(B) If the administrative penalty is not paid and the assessment of

such penalty has become final, the division may file for record in the office of the clerk of the circuit court in the county in which the employer resides, or has his or her place of business, or any other county in which the employer has property, or all of them, a certificate specifying the amount of the administrative penalty in the manner provided in section 288.170, RSMo. From the time of the filing of such certificate, the amount of the administrative penalty specified therein shall have the force and effect of a judgment of the circuit court until the same is satisfied by the division through its duly authorized agents. Execution shall be issuable at the request of the division, its agent or attorney as is provided in the case of other judgments. No exemption shall be allowed from the levy of an execution issued for such administrative penalty and no indemnifying bond shall be required by the sheriff before making levy. If the employer defaults in the payment of such administrative penalty, the division may file a civil action or take such other action as provided by law to collect the penalty.

(9) Refund of Erroneous Penalties. If not later than three (3) years after the date on which an employer has paid an administrative penalty assessed by the division, the employer may request a refund of such penalty. While the request for refund must be in writing, no specific form shall be required. The request for refund must be signed by an officer or authorized representative of the employer. If a deputy determines that the administrative penalty was in fact erroneously assessed, the division shall refund the amount of such penalty without interest. The employer shall bear the burden of proving that the administrative penalty was erroneously assessed. If the deputy determines that the administrative penalty was not erroneously assessed, the request for refund shall be denied. If the deputy denies the request for refund, the employer may file an appeal with the division. The appeal must be filed in accordance with the provisions of section (10) of this rule.

(10) Appeals.

(A) Any individual, partnership, corporation, or other legal entity authorized by law which is aggrieved by a determination issued by a deputy may file an appeal with the division. The appeal must be filed within thirty (30) days of the date the determination was mailed. While the appeal must be in writing, no specific form shall be required. An appeal filed by an individual must be signed by the individual, the individual's authorized agent, or the individual's attorney licensed to practice law in the state of Missouri. An appeal filed by a partnership, corporation, or other legal entity authorized by law must be signed by an officer of the entity, full-time managerial employee of the entity, or an attorney licensed to practice law in the state of Missouri. The division shall be a party to any appeal filed pursuant to this rule. If a timely appeal is filed, the parties shall be granted a hearing before an impartial hearing officer designated by the director. The hearing shall be held in accordance with the provisions of Chapter 536, RSMo. Any party aggrieved by the decision of the hearing officer may seek judicial review in accordance with section 536.110, RSMo.

(B) Any individual, partnership, corporation, or other legal entity authorized by law which is aggrieved by an assessment issued by a deputy may file a petition for reassessment with the division. The petition for reassessment must be filed within thirty (30) days of the date the assessment was served or mailed. While the petition for reassessment must be in writing, no specific form shall be required. A petition for reassessment filed by an individual must be signed by the individual, the individual's authorized agent, or the individual's attorney licensed to practice law in the state of Missouri. A petition for reassessment filed by a partnership, corporation, or other legal entity authorized by law must be signed by an officer of the entity, full-time managerial employee of the entity, or an attorney licensed to practice law in the state of Missouri. The division shall be a party to any petition for reassessment filed pursuant to this rule. If a timely petition for reassessment is filed, the parties shall be granted a hearing before an impartial hearing officer designated by the director. The hearing shall be held in accordance with the provisions of Chapter 536, RSMo. Any party aggrieved by the decision of the hearing officer may seek judicial review in accordance with section 536.110, RSMo.

(11) Federal Judgments. The division shall take judicial notice of judgments in suits brought under the Uniformed Service Employment and Reemployment Rights Act (38 U.S.C. 4301) and such judgments shall be conclusive with regard to an applicant's entitlement to veterans' unemployment compensation and an employer's liability for the administrative penalty set forth in subsection 4 of section 288.042, RSMo.

(12) Records and Information.

(A) In addition to the information required on the application to determine entitlement to veterans' unemployment compensation benefits, an applicant shall provide such other information the deputy deems reasonably necessary to determine the applicant's entitlement to veterans' unemployment compensation benefits and the applicant's weekly benefit amount.

(B) Each employer shall provide copies of business records and such other information as the deputy deems reasonably necessary to determine an applicant's entitlement to veterans' unemployment compensation benefits and an applicant's weekly benefit amount. Each employer shall also provide copies of business records and such other information, as the deputy deems reasonably necessary to determine the propriety of an administrative penalty.

(C) In discharging the duties imposed by section 288.042, RSMo, the director and any authorized representative may administer oaths and affirmations, certify to official acts, and issue subpoenas to compel the attendance of witnesses and the production of business records and other documents. If any person refuses to obey a subpoena issued by the director or any authorized representative, the division may seek enforcement of the subpoena in any court within this state having jurisdiction of the person.

(13) Filing Documents. Any application, appeal, petition for reassessment, or other document required under this rule to be filed with the division shall be deemed filed on the date received by the division. In instances where the last day for the filing of any such paper falls on a Saturday, Sunday, or legal holiday, the filing shall be deemed timely if accomplished on the next day which is neither a Saturday, Sunday, nor a legal holiday.

(14) Facsimile Transmission. Any document required under this rule to be filed with the division may be filed by facsimile transmission. Documents received by facsimile transmission on a regular division workday will be considered filed on the date of receipt. A facsimile transmission received on a Saturday, Sunday or legal holiday will be considered filed on the next regular division workday. The date and time of receipt will be determined by the division's receiving fax machine.

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
DIVISION OF EMPLOYMENT SECURITY

## APPLICATION FOR MISSOURI VETERANS' UNEMPLOYMENT BENEFITS

Name _____ SS# _____-____-_____
*First* *MI* *Last*

Address _____
*Street / P.O. Box* *City* *State* *Zip Code*

County_____ Phone No._____ Birth Date_____ Sex_____

**Military Service: (ATTACH A COPY OF YOUR FEDERAL FORM DD214 TO THIS APPLICATION.)**

Have you served in the United States military at any time after September 11, 2001? ☐ Yes ☐ No

Were you a member of the Missouri National Guard? ☐ Yes ☐ No

Were you a member of a United States Armed Forces Reserve Unit? ☐ Yes ☐ No

If "Yes," were you officially domiciled in the state of Missouri? ☐ Yes ☐ No

Date of domicile election:_____

Were you deployed as part of your military unit at any time after September 11, 2001? ☐ Yes ☐ No

If "Yes," dates of deployment: From_____ To_____

**Non-military (Civilian) Employment:**

Prior to deployment, were you employed either full-time or part-time with a non-military (civilian) employer? ☐ Yes ☐ No

What type of non-military work did you perform?_____

What were your non-military work hours?_____ Non-military salary:_____

Non-military employee benefits:_____

Upon completion of your military deployment, did your non-military employer offer you the same position, salary, employee benefits and work hours? ☐ Yes ☐ No If "No," what was different?_____

_____

Were you discharged or laid off from your non-military (civilian) employer either during deployment or within thirty (30) days after completion of your deployment? ☐ Yes ☐ No If "Yes," were you discharged or laid off?_____

Date of discharge or lay off_____ Reason for discharge or lay off?_____

_____

Non-military (civilian) employer at time of military deployment:

Name _____

Address _____
*Street / P.O. Box* *City* *State* *Zip Code*

*(over)*

MODES-4577 (09-07)
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**To be entitled to war on terror veterans' unemployment compensation benefits, the veteran must have a final court judgment from a Missouri Court or United States District Court located in Missouri finding that the veteran was discharged from or laid off from his or her non-military employment during deployment or within thirty days after the completion of deployment. See Section 288.042 of the Revised Statutes of Missouri.**

Did you sue your non-military employer because you were discharged or laid off? ☐ Yes ☐ No

If "Yes," provide the name of the court:_____

Case No. _____

Date of court judgment:_____ ***(ATTACH A COPY OF THE COURT JUDGMENT.)***

Was the judgment appealed? ☐ Yes ☐ No

If "Yes," provide the name of the appellate court:_____

Case No._____ Date appeal filed:_____

Applicant's Signature:_____ Date:_____

*Under penalty of perjury, I certify that the above information is true.*

Mail this application to:
**Veterans Benefit Coordinator, Division of Employment Security, P.O. Box 59, Jefferson City, MO 65104.**

You may file this application by faxing it to: **573-751-9732.**

If you have questions, please call **573-751-9827.**

***Be sure to attach a copy of your federal form DD214 and a copy of any court judgment to this application.***

*AUTHORITY: sections 288.042, RSMo, as amended SB No. 433, 2007 and 288.220, RSMo 2000. Original rule filed Sept. 13, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($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 Division of Employment Security, Attn: Katharine Barondeau, PO Box 59, Jefferson City, MO 65104-0059. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 13—DEPARTMENT OF SOCIAL SERVICES
## Division 70—*[Division of Medical Services]* *MO HealthNet Division*
## Chapter 4—Conditions of Recipient Participation, Rights and Responsibilities

### PROPOSED AMENDMENT

**13 CSR 70-4.080** ***State*** **Children's Health Insurance Program**. The division is amending the division name, the title and sections (2), (3), (5), (6), and (11).

*PURPOSE: The division is proposing to bring the rule into compliance with the provisions of Senate Bill 577 enacted by the 94th General Assembly, 2007. This amendment also changes the name of the administering agency of the state's medical assistance program to MO HealthNet Division to comply with state law.*

*PURPOSE: This rule establishes components of the* ***State*** *Children's Health Insurance Program which will provide health care coverage to uninsured, low income children pursuant to Senate Bill 632 enacted by the 89th General Assembly, 1998* ***and reauthorized by Senate Bill 577 enacted by the 94th General Assembly, 2007****.*

(2) An uninsured child/children **in a family(ies) with gross income of more than one hundred fifty percent (150%) of the federal poverty level** shall not have had health insurance for six (6) months prior to the month of application pursuant to *[208.185]* **208.631**, RSMo.

(3) If a child/children **in a family(ies) with gross income of more than one hundred fifty percent (150%) of the federal poverty level** had health insurance and such health insurance coverage was dropped, within six (6) months prior to the month of application, the child is not eligible for coverage under this rule until six (6) months after coverage was dropped.

(5) Parent(s) and guardian(s) of uninsured children with gross income *[above]* **of more than** one hundred fifty percent (150%) *[and below]* **but less than** three hundred percent (300%) of the federal poverty level must certify, as a part of the application process, that the child does not have access to affordable employer-sponsored health care insurance or other affordable health care coverage available to the parent(s) or guardian(s) through their association with an identifiable group (for example, a trade association, union, professional organization) or through the purchase of individual health insurance coverage. Access to affordable employer-sponsored health care insurance or other affordable health care coverage shall result in the applicant not being eligible for the Health Care for Uninsured Children program for the child/children in families with gross income *[above]* **of more than** one hundred fifty percent (150%) *[and below]* **but less than** three hundred percent (300%) of the federal poverty level.

(A) For families with gross income *[above]* **of more than** two hundred twenty-five percent (225%) *[and below]* **but less than** three hundred percent (300%) of the federal poverty level affordable employer-sponsored health care insurance or other affordable health care coverage is health insurance requiring a monthly dependent premium *[less than or equal to one hundred thirty-three percent (133%) of the monthly statewide weighted average child/children premium required by the Missouri Consolidated Health Care Plan. Adjustment to the monthly statewide weighted average, based on changes in the Missouri Consolidated Health Care Plan, shall be calculated yearly in March with an effective date of July 1 of the same calendar year]* **of five percent (5%) of two hundred twenty-five percent (225%) of the federal poverty level for a family of three (3)**.

(B) For families with gross income *[above]* **of more than** one hundred eighty-five percent (185%) *[and below]* **but less than** two hundred twenty-six percent (226%) of the federal poverty level affordable employer-sponsored health care insurance or other affordable health care coverage is health insurance requiring a monthly dependent premium *[less than or equal to the amount calculated by multiplying the median income amount for a family of three (3) in this eligibility group by the percentage derived by dividing the maximum affordable health insurance premium in subsection (5)(A) by three hundred percent (300%) of the federal poverty level for a family of three (3)]* **of four percent (4%) of one hundred eighty-five percent (185%) of the federal poverty level for a family of three (3)**.

(C) For families with gross income *[above]* **of more than** one hundred fifty percent (150%) *[and below]* **but less than** one hundred eighty-six percent (186%) of the federal poverty level affordable employer-sponsored health care insurance or other affordable health care coverage is health insurance requiring a monthly dependent premium *[less than or equal to the amount calculated by multiplying the median income amount for a family of three (3) in this eligibility group by the percentage derived by dividing the maximum affordable health insurance premium in subsection (5)(A) by three hundred percent (300%) of the federal poverty level for a family of three (3)]* **of three percent (3%) of one hundred fifty percent (150%) of the federal poverty level for a family of three (3)**.

(6) An uninsured child/children with gross income *[above]* **of more than** two hundred twenty-five percent (225%) *[and below]* **but less than** three hundred percent (300%) of the federal poverty level shall be eligible for service(s) thirty (30) calendar days after the application is received if the required premium has been received. An uninsured child/children with gross income *[above]* **of more than** one hundred fifty percent (150%) *[and below]* **but less than** two hundred twenty-six percent (226%) of the federal poverty level shall be eligible for services once the required premium has been received.

(A) Parent(s) or guardian(s) of uninsured children with gross income *[above]* **of more than** one hundred fifty percent (150%) *[and below]* **but less than** one hundred eighty-six percent (186%) of the federal poverty level are responsible for a monthly premium equal to four percent (4%) of monthly income between one hundred fifty percent (150%) and one hundred eighty-five percent (185%) of the federal poverty level for the family size.

(B) Parent(s) or guardian(s) of uninsured children with gross income *[above]* **of more than** one hundred eighty-five percent (185%) *[and below]* **but less than** two hundred twenty-six percent (226%) of the federal poverty level are responsible for a monthly premium equal to four percent (4%) of monthly income between one hundred fifty percent (150%) and one hundred eighty-five percent (185%) of the federal poverty level for the family size plus eight percent (8%) of monthly income between one hundred eighty-five

percent (185%) and two hundred twenty-five percent (225%) of the federal poverty level for the family size.

(C) Parent(s) or guardian(s) of uninsured children with gross income *[above]* **of more than** two hundred twenty-five percent (225%) *[and below]* **but less than** three hundred percent (300%) of the federal poverty level are responsible for a monthly premium equal to the statewide weighted average child/children premium required by the Missouri Consolidated Health Care Plan not to exceed five percent (5%) of the family's gross income.

(11) The total aggregate premiums for a family covered by this rule shall not exceed five percent (5%) of the family's gross income for a twelve (12)-month period of coverage beginning with the first month of service eligibility.

(A) The total aggregate premiums for a family covered by this rule with gross income *[above]* **of more than** one hundred fifty percent (150%) *[and below]* **but less than** one hundred eighty-six percent (186%) of the federal poverty level shall not exceed one percent (1%) of the family's gross income for a twelve (12)-month period of coverage beginning with the first month of service eligibility. When the total aggregate premiums have reached one percent (1%) of the family's gross income all premiums shall be waived for the remainder of the twelve (12)-month period. Waiver of premiums shall be made upon notification and documentation from the family that payments for premiums have been made up to one percent (1%) of their yearly gross income.

(B) The total aggregate premiums for a family covered by this rule with gross income *[above]* **of more than** one hundred eighty-five percent (185%) *[and below]* **but less than** two hundred twenty-six percent (226%) of the federal poverty level shall not exceed three percent (3%) of the family's gross income for a twelve (12)-month period of coverage beginning with the first month of service eligibility. When the total aggregate premiums have reached three percent (3%) of the family's gross income all premiums shall be waived for the remainder of the twelve (12)-month period. Waiver of premiums shall be made upon notification and documentation from the family that payments for premiums have been made up to three percent (3%) of their yearly gross income.

(C) The total aggregate premiums for a family covered by this rule with gross income *[above]* **of more than** two hundred twenty-five percent (225%) *[and below]* **but less than** three hundred percent (300%) of the federal poverty level shall not exceed five percent (5%) of the family's gross income for a twelve (12)-month period of coverage beginning with the first month of service eligibility. When the total aggregate premiums have reached five percent (5%) of the family's gross income all premiums shall be waived for the remainder of the twelve (12)-month period. Waiver of premiums shall be made upon notification and documentation from the family that payments for premiums have been made up to five percent (5%) of their yearly gross income.

*AUTHORITY: sections 208.201, 208.633, 208.636, 208.643, 208.646, 208.650, 208.655 and 208.657, RSMo 2000 and 208.631, 208.640 and 208.647, RSMo Supp. [2005]* ***2006*** *and Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 1011, 93rd General Assembly. Original rule filed July 15, 1998, effective Feb. 28, 1999. Emergency amendment filed Aug. 4, 2005, effective Sept. 1, 2005, expired Feb. 27, 2006. Amended: Filed April 29, 2005, effective Nov. 30, 2005. Amended: Filed Nov. 15, 2005, effective May 30, 2006. Emergency amendment filed June 15, 2006, effective July 1, 2006, expired Dec. 28, 2006. Amended: Filed June 15, 2006, effective Dec. 30, 2006. Amended: Filed Sept. 17, 2007.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions $7,817,347 in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Director, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.*

# FISCAL NOTE
# PUBLIC COST

**I. Department Title:** **Department of Social Services**
**Division Title:** **MO HealthNet Division**
**Chapter Title:** **Conditions of Recipient Participation, Rights and Responsibilities**

| | |
|---|---|
| **Rule Number and Name:** | 13 CSR 70-4.080 Children's Health Insurance Program |
| **Type of Rulemaking:** | Proposed Amendment |

## II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|---|---|
| **Department of Social Services MO HealthNet Division** | **$7,817,347 Total $2,057,526 General Revenue** |
| | |
| | |

## III. WORKSHEET

The public cost of these changes in the Children's Health Insurance Program is $7,817,347. The cost is based on the number of new eligibles expected to enter the program and the current cost per eligible in the program. The number of eligibles and cost by component are:

| | | |
|---|---|---|
| Affordability | 6,349 eligibles | $7,817,347 |

## IV. ASSUMPTIONS

This cost covers care for new eligibles who will enter the program due to changes in the affordability standard. Affordable insurance will now be based on a premium standard of 3%, 4% or 5% depending on the income of the family.

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 1—Organization and Description

### PROPOSED AMENDMENT

**14 CSR 80-1.010 General Organization**. The board is amending sections (1) and (2) and adding a new section (3).

*PURPOSE: This amendment conforms the rule to reflect the application of law as it relates to closed meetings and completes the purpose of the rule by informing the public regarding the method of obtaining information from the board.*

*PURPOSE: This regulation complies with section 536.023, RSMo [(1986)] which requires each agency to adopt as a rule a description of its operation and the methods where the public may obtain information or make submissions or requests.*

(1) The State Board of Probation and Parole is a division of the Department of Corrections. The board's primary duties are to release persons on parole **or conditional release** from the state adult correctional institutions; to supervise these *[parolees]* **persons**; when necessary, to revoke these *[parolees]* **persons**; to provide investigative and supervisory services for the criminal courts of the state; to provide investigative and supervisory services for other states through the Interstate Compact for the Supervision of Parolees and Probationers; and to investigate and make recommendations to the governor in all cases of executive clemency.

**(2)** *[Under the provisions of section 610.025(1), RSMo, proceedings involving probation and parole are authorized as closed meetings not open to the public.]* **Pursuant to the authority granted by section 217.670.5, RSMo, all meetings of the Board of Probation and Parole are closed meetings unless posted as open meetings, and all votes of the board are closed votes.**

**(3) For information concerning the Board of Probation and Parole the public may write to 1511 Christy Drive, Jefferson City, MO 65101, or visit the web site www.doc.mo.gov/division/prob/prob.**

*AUTHORITY: sections 217.690,* ***RSMo Supp. 2006 and*** *217.720, 217.755* ***and 217.810,*** *RSMo [(1986)]* ***2000****. This rule was previously filed as 13 CSR 80-1.010. Original rule filed May 13, 1976, effective Nov. 11, 1976. Amended: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

### PROPOSED RESCISSION

**14 CSR 80-2.010 Parole Eligibility, Hearings, Reviews and Presumptive Release Dates**. This rule set forth the purpose and procedures for parole hearings, the possible results and when an inmate could plan for release.

*PURPOSE: This rule is being rescinded. A proposed readoption of this rule contains similar information in a significantly revised format.*

*AUTHORITY: sections 217.040 and 217.690, RSMo Supp. 1989 and 595.209, RSMo 1986. This rule was previously filed as 13 CSR 80-2.010. Original rule filed Feb. 5, 1968, effective Feb. 15, 1968. For intervening history, please consult the* ***Code of State Regulations****. Rescinded: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

### PROPOSED RULE

**14 CSR 80-2.010 Parole Eligibility, Hearings, Reviews and Release Dates**

*PURPOSE: This rule sets forth factors regarding parole eligibility, the purpose and procedures for parole hearings, and the possible results.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) Minimum Parole Eligibility. The following provisions apply to sentences where there is no minimum prison term established by statute requiring more time to be served.

(A) Offenders convicted of driving while intoxicated and class C and D drug and non-violent felony offenses as shown in the *Procedures Governing the Granting of Paroles and Conditional Releases*, Appendix C are eligible for parole after fifteen percent (15%) of the maximum sentence has been served, except where statute would require more time to be served.

(B) Offenders convicted of driving while intoxicated as a persistent, aggravated, or chronic offender and enhanced non-violent class C and D felony offenses under section 558.016, RSMo are eligible for parole after twenty-five percent (25%) of the maximum sentence

has been served, except where statute would require more time to be served.

(C) Offenders convicted of class A and B drug and non-violent felony offenses as shown in the *Procedures Governing the Granting of Paroles and Conditional Releases*, Appendix C are eligible for parole after twenty-five percent (25%) of the maximum sentence has been served, except where statute requires more time to be served.

(D) Offenders convicted of violent offenses as shown in the Procedures Governing the Granting of Paroles and Conditional Releases, Appendix C, Sexual or Child Abuse (all classes of offenses) are eligible for parole after thirty-three percent (33%) of the maximum sentence has been served; except where statute would require more time to be served.

(E) Offenders serving life or multiple concurrent or consecutive life sentences and offenders with sentences totaling forty-five (45) years or more are eligible for parole after a minimum of fifteen (15) years has been served, except where statute would require more time to be served.

(F) For offenders serving multiple life sentences or other sentences concurrent or consecutive to a life sentence the board may, due to the nature and length of the sentence, determine not to set a minimum eligibility date.

(G) The *Procedures Governing the Granting of Paroles and Conditional Releases*—Appendices A–Q (revised April 2006) is hereby incorporated by reference and made part of this rule as published by the Board of Probation and Parole, 1511 Christy Drive, Jefferson City, MO 65101. This rule does not incorporate any subsequent amendments or additions.

(2) Medical Parole.

(A) The board will consider a medical parole under the following conditions:

1. A specific recommendation to the parole board must be made by a correctional center physician responsible for the treatment, care or custody of offenders who have serious physical, mental or emotional problems; and

2. The parole board must determine that the offender will be able to obtain and receive proper care and helpful attention outside of the institution.

(B) If a medical parole is granted, the offender, as far as possible and practicable, will be required to comply with all the conditions of parole as set forth on the parole release document.

(C) An offender who has been granted a medical parole will be under the same kind and degree of field supervision as any other paroled prisoner, unless the board modifies supervision.

(D) An offender may be granted a medical parole for the specific purpose of special care or treatment. Upon recovery, or at any time, the offender may be subject to return to the Missouri Department of Corrections or any other disposition as the Board of Probation and Parole may deem appropriate.

(3) Purpose of Parole Hearings.

(A) Parole hearings allow the offenders the opportunity to—

1. Present to the hearing panel in person their own versions of the present offense and prior criminal history if any;

2. Discuss problems and needs;

3. Discuss progress made, or expected to be made, toward rehabilitation while confined;

4. Present reasons why they think they should be paroled;

5. Present plans for the future; and

6. Present and discuss any other matters that are appropriate for consideration including challenging allegations of fact that they perceive to be false.

(B) Parole hearings allow victims, judges, prosecuting attorneys, and law enforcement officials the opportunity to—

1. Present information to the hearing panel regarding the offense and its impact, with or without the offender present;

2. Offer an opinion about the offender's release.

(C) Parole hearings provide the hearing panel the opportunity to—

1. Review and discuss all available reports, pertinent case history material, and any other material they deem to be relevant. This may include medical, psychological and psychiatric reports, prior record of arrests, convictions and incarcerations, past and present patterns of behavior and confidential information;

2. Review and discuss institutional adjustment, conduct and progress as this will reflect upon the offender's attitudes and preparation to resume life in free society;

3. Evaluate the offender in regard to suitability for parole release; and

4. Determine conditions to be accomplished prior to and after release.

(4) Scheduling.

(A) Parole hearings are conducted monthly with offenders at each major institution.

(B) Within ninety (90) days of delivery to the Department of Corrections, a parole hearing will automatically be scheduled for all offenders eligible for parole under state law. The date of the hearing will be based upon a schedule established by the board which takes into account the offense, sentence length and credit for time served. The offender will receive written notice of the date of hearing approximately forty-five (45) days in advance.

(C) An offender may request that his/her parole hearing be scheduled for a later date. The board will not accept a request for a continuance of less than three (3) months or more than five (5) years.

(D) An offender who has a sentence of less than twenty-four (24) months may waive their right to a personal hearing.

(E) An offender serving a first incarceration for certain non-violent class C or D felonies with a sentence of five (5) years or less may be allowed to waive their personal hearing.

(5) Hearing Procedure.

(A) The offender will appear before the hearing panel. The hearing panel shall consist of one (1) member of the parole board and two (2) hearing officers appointed by the board.

1. Offenders may have a person of their choice at the hearing. The offender's representative may offer a statement on behalf of the offender, ask questions and provide any additional information that may be requested by the hearing panel.

2. Other inmates may not be present at the hearing.

(B) In accordance with section 595.209, RSMo the Department of Corrections, Victims Services Unit shall notify victims of identified offenses, or upon the written request of the victim of any other offense, of their right to be present at the parole hearing of the offender. Any victim or person representing the victim who attends a parole consideration hearing may provide information to the hearing panel in reference to the board's deliberation regarding parole release.

1. The victim or person representing the victim who attends a hearing may be accompanied by one (1) other person.

2. The victim or person representing the victim who attends a hearing may give testimony in the presence of the offender or to the hearing panel without the offender being present.

3. The victim or person representing the victim may call or write the parole board rather than attend the hearing.

4. The victim or person representing the victim may have a personal meeting with a board member at the board's central office in Jefferson City.

5. The victim or person representing the victim will be notified of the results of any parole hearing if they indicate a desire to be notified.

(C) The parole board, upon written request of the judge, the prosecuting attorney, or a representative of law enforcement from the jurisdiction in which the crime was committed, shall provide notice prior to the parole hearing for any offender. The judge, prosecuting attorney, a representative from law enforcement, or a combination of

them, may attend the hearing and provide information to the hearing panel in reference to the board's deliberation regarding parole release. Notification of the hearing results will be provided upon request.

(D) The hearing panel shall limit or exclude any irrelevant or repetitious statement.

(E) The interview will be recorded.

(F) The hearing shall not be open to the public and the records of all hearings shall be treated as confidential and shall not be opened to inspection by the offender concerned, the offender's representative or any other unauthorized persons (sections 217.670 and 549.500, RSMo).

(G) The inmate who waives a personal appearance before the hearing panel shall have his/her case considered by the board in absentia.

(H) An offender who is serving a concurrent Missouri sentence while confined in another state or federal correctional center is under the same rules governing the granting of parole and conditional release as an offender who is serving his/her sentence in a Missouri institution, except that a personal hearing before the board shall not be required. The board will consider these cases in absentia.

(6) Hearing Results.

(A) After the hearing, a number of different kinds of investigation reports may be requested, including field investigations, institutional investigations, medical evaluations, psychological or psychiatric evaluations, or a combination of these.

(B) A decision will be reached as soon as possible and the offender will receive a written notice as soon as the notice can be prepared and delivered.

(C) The offender may be scheduled for a reconsideration hearing.

1. The purpose of a reconsideration hearing shall be to consider the offender's case and any significant developments or changes in the offender's status that may have occurred subsequent to the previous hearing.

2. Reconsideration hearings shall be conducted every one (1) to five (5) years at the board's discretion until a release date has been established.

(D) A release date may be set, either by parole or conditional release.

1. Parole will apply to the sentence the offender is currently serving and consecutive paroles will be granted to apply to consecutive sentences.

2. The setting of a release date does not automatically entitle the offender to be released on that date. Release shall be dependent upon a finding by the board that the offender has a continued record of good conduct and an acceptable release plan and can be released without detriment to the community.

3. All release dates are set on the assumption that the information from the offender has not been given fraudulently or withheld from the board. If evidence comes to the attention of the board that an offender has concealed or misrepresented information deemed significant, or if information which has not been considered previously comes to the attention of the board, the case may be reopened to determine whether the decision should be rescinded.

4. A pre-release review shall be held to determine whether the conditions of a release date have been satisfied, and to review any additional information that may be available to the board. Following review, the board shall take one (1) or more of the following actions—

A. Approve the release date;

B. Advance the release date based on program completion and other positive behaviors;

C. Modify special conditions or release strategies;

D. Cancel the release date and reschedule for release;

E. Cancel the release date and schedule for a reconsideration hearing.

(E) In addition to the actions specified in subsections (6)(A) through (D) above, the board may take any other action it deems appropriate.

*AUTHORITY: sections 217.040* ***and 217.250, RSMo 2000*** *and 217.690[, RSMo (Cum. Supp. 1989)] and 595.209, RSMo* ***Supp. 2006****. This rule was previously filed as 13 CSR 80-2.010. Original rule filed Feb. 5, 1968, effective Feb. 15, 1968. For intervening history, please consult the* ***Code of State Regulations****. Rescinded and readopted: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($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 Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

## PROPOSED RESCISSION

**14 CSR 80-2.020 Parole Policy Guidelines**. This rule established a uniform parole policy in order to promote consistent exercise of discretion and equitable decision-making without removing individual case consideration.

*PURPOSE: This rule is being rescinded. A proposed readoption of this rule contains similar information in a significantly revised format.*

*AUTHORITY: section 217.690, RSMo Supp. 1990. This rule was previously filed as 13 CSR 80-2.020. Original rule filed on Nov. 15, 1968, effective Nov. 25, 1968. For intervening history, please consult the* ***Code of State Regulations****. Rescinded: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

## PROPOSED RULE

**14 CSR 80-2.020 Parole Policy Guidelines**

*PURPOSE: This rule establishes a uniform parole policy in order to promote consistent exercise of discretion and equitable decision-making without removing individual case consideration.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

(1) Parole guidelines indicate the customary range of time to be served before release for various combinations of offense seriousness and offender characteristics and sentence length. Mitigating or aggravating circumstances may warrant decisions outside the guidelines.

(2) An evaluation sheet containing a salient factor score serves as an aid in determining release.

(3) The board shall review the guidelines, including the salient factor score, periodically and may revise or modify them at any time as deemed appropriate.

(4) Guidelines shall not apply under the following circumstances. The board, in its discretion, shall consider these on a case-by-case basis.

(A) Offenders serving sentences of more than thirty (30) years or under two (2) years.

(B) To any new consecutive sentence received as the result of a parole violation.

(C) To any portion of a sentence remaining after revocation of parole or conditional release.

(D) Sentences for crimes that occurred while on inmate status.

(5) The guideline matrices, salient factor score and offense classification may be found in the *Procedures Governing the Granting of Paroles and Conditional Releases*—Appendices A–Q (revised April 2006). This material is hereby incorporated by reference and made part of this rule as published by the Board of Probation and Parole, 1511 Christy Drive, Jefferson City, MO 65101. This rule does not incorporate any subsequent amendments or additions.

*AUTHORITY: section 217.690, RSMo Supp. 2006. This rule was previously filed as 13 CSR 80-2.020. Original rule filed Nov. 15, 1968, effective Nov. 25, 1968. For intervening history, please consult the* ***Code of State Regulations****. Rescinded and readopted: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($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 Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

### PROPOSED RESCISSION

**14 CSR 80-2.030 Release on Parole**. This rule indicated that there were different circumstances under which a parole may be granted, certain requirements to be met before parole could be granted and certain restrictions on the length of time to be served on parole.

*PURPOSE: This rule is being rescinded. Certain sections of this rule relating to parole consideration have been moved to 14 CSR 80-2.010. A proposed readoption of this rule contains information concerning terms of supervision.*

*AUTHORITY: sections 217.690 and 549.261, RSMo Supp. 1990. This rule was previously filed as 13 CSR 80-2.030. Original rule filed Feb. 5, 1968, effective Feb. 15, 1968. For intervening history, please consult the* ***Code of State Regulations****. Rescinded: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

### PROPOSED RULE

**14 CSR 80-2.030 Term of Supervision**

*PURPOSE: This rule indicates that there are conditions of supervision and restrictions on the length of time to be served on parole.*

(1) Any offender released on parole or conditional release from the Missouri Department of Corrections prior to completion of the maximum sentence will be subject to supervision. Time served under supervision counts as time served on the sentence.

(A) Offenders who abscond from parole or conditional release supervision may not be given credit for time served while an absconder.

(B) Offenders who violate parole or conditional release and receive a new sentence to a correctional institution outside the Missouri Department of Corrections may not receive credit on their sentence for the time served under the new conviction.

(2) An offender who exhibits positive behavior under supervision and whose sentence expiration date is three and one-half (3.5) years or more after parole or conditional release may be eligible for discharge at the end of three (3) years under supervision provided that the board is satisfied that final release is not incompatible with

public safety. An offender who is serving a sentence for a dangerous felony or sex offense will not be considered for final discharge until having served five (5) years under supervision except where the sentence expires earlier. Discharge from supervision is not automatic. The board will review the offender's criminal record, circumstances of the present offense, community adjustment, and other stability factors before making a final order.

*AUTHORITY: sections 217.720, RSMo 2000 and 217.690 and 217.730, RSMo Supp. 2006. This rule was previously filed as 13 CSR 80-2.030. Original rule filed Feb. 5, 1968, effective Feb. 15, 1968. For intervening history, please consult the* ***Code of State Regulations****. Rescinded and readopted: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($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 Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

### PROPOSED RESCISSION

**14 CSR 80-2.040 Conditional Release**. This rule explained conditional release, which affects inmates convicted of a crime committed after January 1, 1979.

*PURPOSE: This rule is being rescinded. Certain parts of this rule concern only inmates of an institution under the control of the Department of Corrections; therefore, publication in the Code is not required pursuant to section 536.010(6)(k), RSMo. Sections of this rule relating to community supervision have been moved to 14 CSR 80-2.030.*

*AUTHORITY: section 558.011.4(2), RSMo Supp. 1990. This rule was previously filed as 13 CSR 80-2.040. Original rule filed Nov. 13, 1979, effective March 13, 1980. For intervening history, please consult the* ***Code of State Regulations****. Rescinded: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 14—DEPARTMENT OF CORRECTIONS
## Division 80—State Board of Probation and Parole
## Chapter 2—Parole Consideration and Conditional Release

### PROPOSED RESCISSION

**14 CSR 80-2.050 Administrative Parole**. This rule allowed for release of those individuals committed under the new criminal code for crimes committed on or after January 1, 1979 and who were recommended for credit release by the institution head.

*PURPOSE: This rule is being rescinded. A proposed readoption of this rule contains information concerning consideration of release based on good time credit.*

*AUTHORITY: section 217.690, RSMo Supp. 1990. Emergency rule filed Dec. 13, 1982, effective Dec. 23, 1982, expired April 22, 1983. Original rule filed Dec. 29, 1982, effective May 12, 1983. For intervening history, please consult the* ***Code of State Regulations****. Rescinded: Filed Sep. 5, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Corrections, State Board of Probation and Parole, Steve Long, Chairman, 1511 Christy Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 16—RETIREMENT SYSTEMS
## Division 50—The County Employees' Retirement Fund
## Chapter 2—Membership and Benefits

### PROPOSED AMENDMENT

**16 CSR 50-2.010 Definitions**. The board is amending subsection (1)(FF).

*PURPOSE: This amendment amends the target replacement ratio.*

(1) When used in these regulations or in sections 50.1000 to 50.1300, RSMo, the words and phrases defined hereinafter shall have the following meanings unless a different meaning is clearly required by the context of the plan:

(FF) Target replacement ratio means:

1. Eighty percent (80%), if a participant's average final compensation is thirty-**six** thousand dollars *[($30,000)]* **($36,000)** or less;

2. Seventy-seven percent (77%), if a participant's average final compensation is forty-**eight** thousand dollars *[($40,000)]* **($48,000)** or less, but greater than thirty-**six** thousand dollars *[($30,000)]* **($36,000)**; **and**

3. Seventy-two percent (72%), if a participant's average final compensation is *[fifty]* **greater than forty-eight** thousand dollars *[($50,000) or less, but greater than forty thousand dollars ($40,000)]* **($48,000)**; *[and]*

*[4. Seventy percent (70%), if a participant's average final compensation is greater than fifty thousand dollars ($50,000);]*

*AUTHORITY: section 50.1032, RSMo [Supp. 1999] **2000**. Original rule filed Oct. 11, 1995, effective May 30, 1996. Amended: Filed July 16, 1998, effective Jan. 30, 1999. Rescinded and readopted: Filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Sept. 17, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## Title 16—RETIREMENT SYSTEMS
## Division 50—The County Employees' Retirement Fund
## Chapter 2—Membership and Benefits

### PROPOSED AMENDMENT

**16 CSR 50-2.090 Normal Retirement Benefit**. The board is amending section (2).

*PURPOSE: This amendment amends the normal retirement benefit.*

(2) Benefit to Non-LAGERS Participants. The normal retirement benefit of a participant who is not a member of the Local Government Employees' Retirement System (LAGERS) shall be a monthly benefit in the normal form of benefit equal to the greater of:

(A) *[Twenty-four dollars ($24)]* **Twenty-nine dollars ($29)** multiplied by years of creditable service, up to a maximum of *[twenty-five (25)]* **twenty-nine (29)** years; or

(B) An amount determined according to the following formula:

**[**((TRR × AFC) – PSSA) × (CS/25)**] + (.01 x AFC x CSE)**

Where:

TRR is the participant's target replacement ratio;

AFC is the participant's average final compensation;

PSSA is the participant's primary Social Security amount, on a monthly basis; *[and]*

CS is the participant's creditable service (up to a maximum of twenty-five (25) years)*[.]***; and**

**CSE is the participant's creditable service in excess of twenty-five (25) years (up to a maximum of twenty-nine (29) years).**

*AUTHORITY: section 50.1032, RSMo 2000. Original rule filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Dec. 10, 2002, effective June 30, 2003. Amended: Filed April 23, 2003, effective Oct. 30, 2003. Amended: Filed Sept. 17, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## Title 16—RETIREMENT SYSTEMS
## Division 50—The County Employees' Retirement Fund
## Chapter 2—Membership and Benefits

### PROPOSED AMENDMENT

**16 CSR 50-2.120 Benefits Upon Participant's Death**. The board is amending subsection (1)(A).

*PURPOSE: This amendment provides that a dissolution or annulment of marriage will not affect a beneficiary designation for purposes of benefits payable upon a participant's death.*

(1) Lump Sum Death Benefit. A death benefit of ten thousand dollars ($10,000) shall be paid to the beneficiary of every active participant upon his or her death or, if the participant fails to designate a beneficiary, then to the participant's surviving spouse or, if there is no spouse, then in equal shares to the participant's surviving children. If there is neither a surviving spouse nor surviving children, then the benefit shall be paid to the active participant's estate.

(A) Designation of Beneficiary. Each participant may name a beneficiary on a form provided by the board and delivered to the board. Such designation may include more than one (1) person with one (1) or more secondary or contingent beneficiaries and shall be subject to change upon written request of such participant in the same manner as the original designation. **A dissolution or annulment of a participant's marriage subsequent to the date of designation of a beneficiary shall not revoke or otherwise affect such designation.**

*AUTHORITY: section 50.1032, RSMo Supp. 2000. Original rule filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Nov. 10, 2005, effective May 30, 2006. Amended: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## Title 16—RETIREMENT SYSTEMS
## Division 50—The County Employees' Retirement Fund
## Chapter 10—County Employees' Defined Contribution Plan

### PROPOSED AMENDMENT

**16 CSR 50-10.030 Contributions**. The board is amending section (2).

*PURPOSE: This amendment amends the board matching contribution.*

(2) Board Matching Contribution. The Board, in its sole discretion, shall determine if it will make Board matching contributions for a

Plan Year and the aggregate amount of the contribution. Such determination shall be made after the close of the Plan Year for which the contribution is made. Each Qualified Participant (as defined in section (3) below) who makes contributions to the 457 Plan during the Plan Year for which the Board matching contribution is made shall be eligible to receive an allocation of this Board matching contribution. Generally, the Board shall allocate Board matching contributions *pro rata* to the Qualified Participant's Board matching account, on the basis of a Qualified Participant's contributions to the 457 Plan. However, the Board shall follow these rules in making this allocation:

(A) Contribution allocation to a Qualified Participant *[who is not a member of LAGERS]* shall equal the least of: i) three percent (3%) of such *[non-LAGERS]* member's Compensation for the Plan Year, ii) fifty percent (50%) of such *[non-LAGERS]* member's contributions to the 457 Plan, or iii) the matching percentage designated by the Board for the Plan Year, multiplied by the Qualified Participant's contributions to the 457 Plan for the Plan Year.

*[(B) Contributions allocated to a Qualified Participant who is a member of LAGERS shall equal the least of: i) one and one-half percent (1.5%) of such LAGERS member's Compensation for the Plan Year, ii) twenty-five percent (25%) of such LAGERS member's contributions to the 457 Plan, or iii) one-half of the matching percentage designated by the Board for the Plan Year, multiplied by the Qualified Participant's contributions to the 457 Plan for the Plan Year.]*

*[(C)]* **(B)** If a Board matching contribution is made for a Plan Year, it shall be allocated to the Participants' Board matching account as soon as administratively feasible after the close of the Plan Year without regard to any earnings or losses from the close of the Plan Year until the date such allocation is made.

*[(D)]* **(C)** Each Qualified Participant's Employer shall submit information and records to the Board with respect to the amount of such Qualified Participant's contributions to the 457 Plan for a Plan Year no later than February 28 following the close of such Plan Year. The amount of Board matching contributions to any Qualified Participant's Board matching account for a Plan Year shall be based upon such information and records, and shall not be adjusted upward if the information or records submitted by the Qualified Participant's Employer subsequently are shown to be incomplete or inaccurate, or if additional 457 Plan contributions are subsequently deposited by the Qualified Participant's Employer for such Plan Year; provided, however, the Board will be entitled to recover (either by reducing the Qualified Participant's Board matching account balance or, in the event such balance has been distributed, directly from the Qualified Participant) any amounts overcredited to the Qualified Participant's Board matching account (and earnings thereon) if a Qualified Participant's Employer has filed inaccurate records or information regarding the amount of a Qualified Participant's contributions to the 457 Plan.

*AUTHORITY: sections 50.1220 and 50.1260, RSMo 2000 and 50.1230 and 50.1250, RSMo Supp [2005]* ***2006****. Original rule filed May 9, 2000, effective Jan. 30, 2001. Amended: Filed April 25, 2002, effective Nov. 30, 2002. Amended: Filed Sept. 10, 2002, effective April 30, 2003. Amended: Filed Nov. 10, 2005, effective May 30, 2006. Amended: Filed Sept. 17, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, 2121 Schotthill Woods Drive, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 19—DEPARTMENT OF HEALTH *AND SENIOR SERVICES*
## Division 30—Division of *[Health Standards]* *Regulation* and Licensure
## Chapter 35—Hospices

### PROPOSED AMENDMENT

**19 CSR 30-35.010 Hospice Program Operations**. The department is amending sections (1) and (2).

*PURPOSE: This amendment adds five (5) definitions and alphabetizes all the definitions in the section (1). Section (2) is amended to include Alzheimer's disease and related dementia training.*

(1) General Provisions.

(A) Definitions Relating to Hospice Care Agencies.

*[1. Hospice administrator—the employee designated by the governing body as responsible for the overall functioning of the hospice.]*

*[2.]* **1.** Attending physician—a person who—

A. Is licensed as a doctor of medicine or osteopathy in this state or a bordering state; and

B. Is identified by the patient, at the time s/he elects to receive hospice care, as having the most significant role in the determination and delivery of the patient's medical care. **Automated dispensing system—a mechanical system that performs functions that may include, but are not limited to, storing, packaging or dispensing medications, and that collects, controls and maintains all transaction information.**

**3. Certified medication technician—a person who has completed the certified medication technician training program approved by the Department of Health and Senior Services.**

**4. Certified pharmacy technician—a person who is credentialed by a nationally recognized pharmacy technician credentialing authority.**

*[3.]* **5.** Contracted provider—individuals or entities who furnish services to hospice patients under contractual arrangements between the hospice and the contracted provider.

*[4.]* **6.** Coordinating provider—any individual or agency which independently provides services to the patient in their place of residence.

*[5.]* **7.** Dietary counselor—an individual that is currently eligible to be licensed as a dietitian in Missouri or recognized as a nutritionist.

*[6.]* **8.** Direct employee—an individual paid directly by the hospice.

**9. Emergency medication supply—a limited number of prescription medications approved by the medical director and the pharmacist that may be administered to a patient in an emergency situation or for initial doses of a necessary medication when a pharmacist cannot provide medication services for a patient within a reasonable time based on the patient's clinical needs at the time.**

*[7.]* **10.** Employee—an employee of the hospice or an individual under contract who is appropriately trained and assigned to the hospice program. Employee also refers to a person volunteering for the hospice program.

*[8.]* **11.** Family—broadly defined to include not only persons bound by biology or legalities but also those who function for the patient in a familial way.

*[9.]* **12.** Homemaker—a home health aide, volunteer or other individual who assists the patient/family with light housekeeping chores.

*[10.]* **13.** Home health aide—a person who meets the training, attitude, and skill requirements specified in the Medicare home health program (42 CFR 484.36).

*[11.]* **14.** Hospice—a public agency or private organization or subdivision of either that:

A. Is primarily engaged in providing care to dying persons and their families; and

B. Meets the standards specified in 19 CSR 30-35.010 and in 19 CSR 30-35.030. If it is a hospice that provides inpatient care directly in a hospice facility, it must also meet the standards of 19 CSR 30-35.020.

**15. Hospice administrator—the employee designated by the governing body as responsible for the overall functioning of the hospice.**

*[12.]* **16.** Hospice patient—a person with a terminal illness or condition for whom the focus of care is on comfort and palliation rather than cure.

**17. Legal representative—a person who because of the patient's mental or physical incapacity is legally authorized in accordance with state law to make health care decisions on behalf of the dying person.**

*[13.]* **18.** Licensed practical nurse—a person licensed under Chapter 335, RSMo to engage in the practice of practical nursing.

*[14.]* **19.** Meal preparation—meals planned, offered or served to all patients from prepared menus.

*[15.]* **20.** Medical director—a person licensed in this state or a bordering state as a doctor of medicine or osteopathy who assumes overall responsibility for the medical component of the hospice's patient care program.

*[16.]* **21.** Nutritionist—a person who has graduated from an accredited four **(4)**-year college with a bachelor's degree including or supplemented by at least **fifteen (**15**)** semester hours in food and nutrition including at least one **(1)** course in diet therapy.

*[17.]* **22.** Occupational therapist—a person who is registered under Chapter 334, RSMo as an occupational therapist and licensed to practice in Missouri.

*[18.]* **23.** Occupational therapy assistant—a person who has graduated from an occupational therapy assistant program accredited by the Accreditation Council for Occupational Therapy Education and licensed to practice in Missouri.

*[19. Registered nurse—a person licensed under Chapter 335, RSMo to engage in the practice of professional nursing.]*

*[20. Registered nurse coordinator—a registered nurse, who is a direct employee, designated by the hospice to direct the overall provisions of clinical services.]*

*[21.]* **24.** Pharmacist—a person licensed as a pharmacist under Chapter 338, RSMo.

*[22. Physician—a physician as defined in subparagraph (1)(A)2.A. of this rule.]*

**25. Pharmacy technician—a person who is registered as a pharmacy technician under Chapter 338, RSMo.**

*[23.]* **26.** Physical therapist—a person who is licensed as a physical therapist under Chapter 334, RSMo.

*[24.]* **27.** Physical therapy assistant—a person who has graduated from at least a two **(2)**-year college level program accredited by the American Physical Therapy Association and licensed to practice in Missouri.

*[25. Legal representative—a person who because of the patient's mental or physical incapacity is legally authorized in accordance with state law to act on behalf of the dying person.]*

**28. Physician—a physician as defined in subparagraph (1)(A)1.A. of this rule.**

**29. Registered nurse—a person licensed under Chapter 335, RSMo to engage in the practice of professional nursing.**

**30. Registered nurse coordinator—a registered nurse, who is a direct employee, designated by the hospice to direct the overall provisions of clinical services.**

*[26.]* **31.** Satellite/branch office—a location or site from which a hospice provides services within a portion of the total geographic area served by the parent hospice and the area served by the satellite/branch office is contiguous to or part of the area served by the parent hospice.

*[27.]* **32.** Skilled nursing—those services which are required by law to be provided by a registered nurse or a licensed practical nurse.

*[28.]* **33.** Snack—a single meal or item prepared on demand which does not include food items that produce grease-laden vapors.

*[29.]* **34.** Social worker—a person who has at least a bachelor's degree in social work from a school of social work accredited by the Council on Social Work Education.

*[30.]* **35.** Speech language pathologist—a person who is licensed under Chapter 345, RSMo as a speech therapist.

*[31.]* **36.** Spiritual counselor—a person who is ordained, commissioned or credentialed according to the practices of an organized religious group and has completed, or will complete by August 1, 2003, one **(1)** unit of Clinical Pastoral Education (CPE); or has a minimum of a bachelor's degree with emphasis in counseling or related subjects and has, within ninety (90) days of hire, completed specific training to include: common spiritual issues in death and dying; belief systems of comparative religions related to death and dying; spiritual assessment skills; individualizing care to patient beliefs; and varied spiritual practices/rituals.

*[32.]* **37.** Standing order—An order by an authorized prescriber that can be implemented by other health care professionals when predetermined criteria are met as per 19 CSR 30-35.010 (2)(E)3.–(2)(E)4.A., B. and C.

(2) Administration.

(J) Volunteers.

1. Each hospice shall document and maintain a volunteer staff sufficient to provide administrative and direct patient care hours in an amount that, at a minimum, equals five percent **(5%)** of the total patient care hours of all paid hospice employees and contract staff. The hospice shall document a continuing level of volunteer activity.

2. Care and services through the use of volunteers, including the type of services and the time worked, shall be recorded.

3. The hospice shall document initial screening and active and ongoing efforts to recruit and retain volunteers.

4. The hospice shall provide task-appropriate orientation and training consistent with acceptable standards of hospice practice, that includes at a minimum:

A. Hospice philosophy, goals and services;

B. The volunteer role in hospice;

C. Confidentiality;

D. Instruction in the volunteer's particular duties and responsibilities;

E. Whom to contact if in need of assistance or instruction regarding the performance of their specific duties and responsibilities; and

F. Documentation and record keeping as related to the volunteer's duties.

5. The hospice shall, in addition, provide orientation for patient care volunteers that includes at a minimum:

A. Concepts of death and dying;

B. Communication skills;

C. Care and comfort measures;

D. Psychosocial and spiritual issues related to death and dying;

E. The concept of hospice patient and family as the unit of care;

F. Procedures to be followed in an emergency or following the death of the patient;

G. Concepts of grief and loss;

H. Universal precautions;

I. Safety;

J. Patient/family rights; *[and]*

K. Hospice and the nursing home*[.]*; **and**

**L. Alzheimer's disease and dementia-specific training as specified at 19 CSR 30-35.010(2)(M)1.B.(XIII).**

6. The hospice shall document orientation and ongoing in-services.

7. Volunteers functioning in accordance with professional practice acts must show evidence of current professional standing and licensure, if applicable.

(M) Employee Training and Orientation.

1. Each hospice shall provide initial orientation for each direct employee that is specific to the employee's job duties.

A. All employees shall be oriented to:

(I) Hospice philosophy, goals and services;

(II) Confidentiality;

(III) Specific job duties;

(IV) Hospice policies and procedures as appropriate to the position.

B. Patient care employees shall also be oriented to:

(I) Interdisciplinary group function and responsibility;

(II) Communication skills;

(III) Physical, psychosocial and spiritual assessment;

(IV) Plan of care;

(V) Symptom management;

(VI) Universal precautions;

(VII) Patient/family safety issues;

(VIII) Patient/family rights;

(IX) Documentation;

(X) Concepts of grief and loss;

(XI) Facility resident care; *[and]*

(XII) Levels of hospice care*[.]*; **and**

**(XIII) Alzheimer's disease and related dementias. Hospice agencies shall provide dementia-specific training about Alzheimer's disease and related dementias to their employees and those persons working as independent contractors who provide direct care to or may have daily contact with residents, patients, clients or consumers with Alzheimer's disease or related dementias.**

**(a) At a minimum, the training required shall address the following areas:**

**I. An overview of Alzheimer's disease and related dementias;**

**II. Communicating with persons with dementia;**

**III. Behavior management;**

**IV. Promoting independence in activities of daily living; and**

**V. Understanding and dealing with family issues.**

**(b) Employees or independent contractors who do not provide direct care for, but may have daily contact with, persons with Alzheimer's disease or related dementias shall receive dementia-specific training that includes at a minimum:**

**I. An overview of Alzheimer's disease and related dementias; and**

**II. Communicating with persons with dementia.**

**(c) Dementia-specific training about Alzheimer's disease and related dementias shall be incorporated into orientation for new employees with direct patient contact and independent contractors with direct patient contact. The training shall be provided annually and updated as needed.**

C. Ongoing in-service training shall include a broad range of topics that reflect identified educational needs.

D. The hospice shall document initial orientation and in-service topics presented.

2. Volunteers are exempt from these provisions**, except for dementia-specific training as specified at 19 CSR 30-35.010 (2)(M)1.B.(XIII),** as their orientation and in-service requirements are defined in 19 CSR 30-35.010(2)(J)4., 5. and 6.

3. Contract *[personnel]* **employees** shall receive orientation to **dementia-specific training as specified at 19 CSR 30-35.010 (2)(M)1.B.(XIII),** confidentiality, hospice philosophy, and to their specific job duties.

*AUTHORITY: sections 197.270, RSMo 2000 and* ***660.050, RSMo Supp 2006****. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded and readopted: Filed Jan. 3, 2001, effective Aug. 30, 2001. Amended: Filed Sept. 11, 2007.*

*PUBLIC COST: This proposed amendment will not state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health and Senior Services, Dean Linneman, Section Administrator, Health Standards and Licensure, 1617 Southridge, Jefferson City, MO 65109, phone (573) 526-1864, email dean.linneman@dhss.mo.gov. To be considered, comments must be received within thirty (30) days of publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 19—DEPARTMENT OF HEALTH *AND SENIOR SERVICES*
## Division 30—Division of *[Health Standards]* *Regulation* and Licensure
## Chapter 35—Hospices

## PROPOSED AMENDMENT

**19 CSR 30-35.020 Hospice Providing Direct Care in a Hospice Facility**. The department is amending section (3).

*PURPOSE: This amendment allows facilities to use prescription medication automated dispensing systems.*

(3) Organization and Management of Hospice Facilities.

(F) Pharmacy Services. The hospice shall comply with all provisions of 19 CSR 30-35.010 regarding medications.

1. The hospice shall employ or contract with a pharmacist.

A. The pharmacist shall assist in the development of policies and procedures for medication use, shall advise the hospice on all other matters pertaining to the use of medications, shall serve as a member of, or consultant to, the interdisciplinary team and shall provide medication information to professional staff as required.

B. *[Pharmacist]* **A pharmacist** shall be available on a **twenty-four (24)**-hour basis for emergencies.

2. Medication acquisition and labeling.

A. *[No stock supply of prescription medications shall be maintained except that each facility shall maintain an emergency medication kit and controlled substances may be maintained as stock.]* **Prescription medications shall be maintained as individual patient prescriptions or in an automated dispensing system.**

B. **Each facility shall maintain an emergency medication supply.** When the emergency medication *[kit]* **supply is separate from an automated dispensing system and** contains controlled substances the facility shall be registered with the Missouri Bureau of Narcotics and Dangerous Drugs.

C. *[When controlled substances are maintained in stock, the facility shall be registered with the Missouri Bureau of Narcotics and Dangerous Drugs and the Drug Enforcement Administration.]* **Automated dispensing systems may be controlled by the facility or may be controlled on-site or remotely by a pharmacy.**

**(I) When an automated dispensing system is controlled by the facility:**

**(a) A pharmacist shall be responsible for the operation of the automated dispensing system and training of facility staff in its use;**

**(b) A pharmacist shall review and confirm each new medication order prior to administration of the first dose;**

**(c) The facility shall have a policy and procedure to allow removal of initial doses of approved emergency medication supply medications in lieu of maintaining a separate emergency medication supply;**

**(d) A pharmacist or pharmacy technician shall place medications in the automated dispensing system. Medications to be placed in the automated dispensing system shall be checked and approved by a pharmacist;**

**(e) When the automated dispensing system contains controlled substances, the facility shall be registered with the Missouri Bureau of Narcotics and Dangerous Drugs and the Drug Enforcement Administration; and**

**(f) When the automated dispensing system is for the purpose of an emergency medication supply only, subparts (b) and (c) of this part shall not apply and the facility shall not be required to be registered with the Drug Enforcement Administration.**

**(II) When an automated dispensing system is controlled by a pharmacy:**

**(a) A pharmacist shall review and confirm each new medication order prior to releasing the medication from the system;**

**(b) The pharmacy and the facility shall have a policy and procedure to allow removal of initial doses of approved emergency medication supply medications when the automated dispensing system is used in lieu of maintaining a separate emergency medication supply;**

**(c) A pharmacist or pharmacy technician shall place medications in the automated dispensing system. Medications to be placed in the automated dispensing system shall be checked and approved by a pharmacist;**

**(d) The pharmacy shall comply with all requirements of paragraph 3. of this subsection;**

**(e) The automated dispensing system shall be licensed by the Board of Pharmacy and shall be used in compliance with 20 CSR 2220-2.900;**

**(f) When the automated dispensing system contains controlled substances it shall be registered with the Missouri Bureau of Narcotics and Dangerous Drugs and the Drug Enforcement Administration; and**

**(g) When the automated dispensing system is for the purpose of an emergency medication supply only, subparts (a) and (e) of this part shall not apply and it shall not be required to be registered with the Drug Enforcement Administration.**

**(III) A facility employee who registers with the Board of Pharmacy as a pharmacy technician shall be a nurse, certified pharmacy technician, or certified medication technician. The pharmacist shall be responsible for the training of the employee and shall supervise the employee in compliance with 20 CSR 2220-2.700 when pharmacy technician functions are being performed.**

D. Patient prescription medications shall be labeled with at least the patient name, medication name, strength and date dispensed. They shall also contain accessory information and the expiration date when applicable.

E. Prescription medication labels shall not be altered by hospice staff and medications shall not be repackaged by hospice staff except as allowed by (3)(F)4.E.

F. When the patient's own medications are used, they shall be examined prior to use for suitability and positively identified by a pharmacist or nurse in writing.

G. Non-prescription medications may be obtained as stock or individual patient supplies. They shall not be repackaged, except as allowed by (3)(F)4.E., and supplies for individual patients shall be labeled with the patient's name.

3. Medication storage and control.

A. All medications shall be stored in locked compartments under proper temperature controls, separate from food and other substances.*[, and]* **Medications shall be** accessible only to persons authorized to administer them**, pharmacists or pharmacy technicians**.

B. Controlled substances shall be stored in locked compartments separate from other medications.

C. The pharmacist shall inspect medication storage areas and the emergency medication *[kit]* **supply** monthly and shall document this inspection.

D. Records of receipt and disposition of all controlled substances shall be maintained separate from other records.

(I) Inventories of Schedule II controlled substances shall be reconciled each shift **when they are not maintained in an automated dispensing system**.

(II) Inventories of Schedule III–V controlled substances shall be reconciled daily **when they are not maintained in an automated dispensing system**.

**(III) Inventories of controlled substances shall be reconciled at least every seventy-two (72) hours when they are maintained in an automated dispensing system.**

*[(III)]* **(IV)** Receipt records shall include the date, source of supply, patient name and prescription number when applicable, medication name and strength, quantity and signatures of the supplier and receiver.

*[(IV)]* **(V)** Administration records shall include the date, time, patient name, medication name, dose administered and signature of the person administering.

*[(V)]* **(VI)** Documentation of waste at the time of administration shall also include the reason for the waste and the signature of an authorized employee witness.

E. The pharmacist shall review controlled substance record keeping monthly.

F. All variances of controlled substance records shall be reported to the registered nurse coordinator and the pharmacist for review and investigation.

G. All losses of controlled substances shall be reported to the Missouri Bureau of Narcotics and Dangerous Drugs and to other federal, state and local authorities when required.

H. All controlled substance records shall be maintained for two **(2)** years.

4. Medication administration.

A. Medication administration by the patient or a family member shall be ordered by the physician. Instructions for administration shall be provided.

B. Non-controlled substances may be stored in a locked compartment in the patient's room.

C. Single doses of controlled substances may be placed in the locked compartment or provided directly to the patient or family member prior to the time of administration.

D. Administration of the patient's own medications brought to the facility shall be ordered by the authorized prescriber.

E. Medications for administration when a patient temporarily leaves the facility shall be labeled by the pharmacy with instructions for administration, except that a single dose of each medication may be provided by the nurse in containers labeled with the patient's name, medication name and strength, instructions for administration, and other necessary information.

F. Medication administration shall be documented on a separate record. Administration by the patient or a family member shall be monitored by nursing staff and documented.

5. Other medication disposition.

A. Medications may be sent with a patient at the time of discharge only if they have been labeled by the dispensing pharmacy

with instructions for administration and ordered by the authorized prescriber.

B. Records of this disposition shall include the date, patient name, prescription number, drug name and strength, quantity and signatures of the persons releasing and receiving the medications.

C. Patient prescription medications that have been discontinued shall be destroyed within **sixty (**60**)** days if they are controlled substances or if they are not in unit-dose packaging.

D. Patient prescription medications of expired patients shall be destroyed within five **(5)** days if they are controlled substances or if they are not in unit-dose packaging or if they were brought from home.

E. Other expired or nonusable medications shall be destroyed within five **(5)** days.

F. Medications shall be destroyed by a pharmacist and a nurse or two **(2)** nurses, and a record of destruction shall be maintained which includes the date, patient name, prescription number, medication name and strength, quantity, method of destruction and signatures of the persons destroying the medications.

G. Unit-dose packaged medications returnable to the pharmacy shall be returned within ten **(10)** days.

H. Medications shall not be transferred to other patients and shall not be removed from the facility by hospice staff, except those being returned to the pharmacy.

*AUTHORITY: section 197.270, RSMo 2000. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded and readopted: Filed Jan. 3, 2001, effective Aug. 30, 2001. Amended: Filed Sept. 11, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Health and Senior Services, Dean Linneman, Section Administrator, Health Standards and Licensure, 1617 Southridge, Jefferson City, MO 65109, phone (573) 526-1864, email dean.linneman@dhss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.010 Scope and Definitions**

*PURPOSE: This rule sets out the scope of the rules in this chapter and provides definitions to aid in the interpretation of the rules in this chapter.*

(1) Applicability of Rules. The rules in this chapter apply to all hearings conducted pursuant to the enforcement procedures in sections 374.046 through 384.049, RSMo and other contested cases arising from provisions in Chapters 354 and 374 through 385, RSMo, unless the rules conflict with specific statutory hearing requirements, in which case the statutory requirements shall prevail. The rules shall be read together with Chapter 536, RSMo.

(2) Definitions.

(A) "Certificate of Authority," the whole or part of any certificate of approval or charter granted by the director for any insurance company, insurer, association, health services corporation, health maintenance organization, or other legal entity insuring risk.

(B) "Director," the director of the department.

(C) "Department," the Department of Insurance, Financial Institutions and Professional Registration.

(D) "License," the whole or part of any permit, registration, membership, statutory exemption or any other form of permission granted by the director to any person.

(E) "Party," any individual, partnership, corporation, association, public or private organization of any character or any other governmental agency properly requesting a hearing, named as a respondent, seeking to be heard or entitled to intervene in any matter under the rules in this chapter.

(F) "Respondent," a party in an administrative proceeding before the director and against whom administrative relief is sought under section 374.046 or 374.047, RSMo or other provisions in Chapters 354 or 374 through 385, RSMo.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.020 Who May Request**

*PURPOSE: This rule sets out who may request enforcement in matters under sections 374.046 through 374.049, RSMo and other contested case provisions in Chapters 354 and 374 through 385, RSMo.*

(1) Proceedings Before the Director.

(A) General Provisions. All administrative hearings shall be set with the director's issuance of a written notice of hearing, which shall be served upon all known parties to the hearing and which shall clearly give notice of the particular acts complained of, the statutes or rules upon which the allegations in the notice are based, the caption of the case, the time and place for hearing and those matters required by section 536.067(2), RSMo. The notice may be accomplished by attaching a petition or statement of charges. In all administrative enforcement under section 374.046 or 374.047, RSMo, the Consumer Affairs Division may initiate the matter by submitting to the director a petition for administrative relief containing a statement of reasons supporting the administrative action including all pertinent allegations of fact and suggestions of law. The director may act summarily, if authorized by law, or may give notice of the intent to order administrative relief with the issuance of an order to show cause. The director may also then issue a hearing order setting the matter for hearing. Any hearing shall be governed by section 374.046 or 374.047 and Chapter 536, RSMo.

(B) Refusal of License for Insurance Producers, Bail Bond Agents or Surety Recovery Agents. In all administrative actions for bail bond agent applications under sections 374.750 and 374.755, RSMo, surety recovery agents under sections 374.786 and 374.787, RSMo, or insurance producers under section 375.141, RSMo, the Consumer Affairs Division may initiate an action for a refusal of an initial or renewal application by submitting to the director a petition for refusal containing supporting allegations and suggestions of law. The director may issue an order to show cause and schedule a hearing or may refuse the license summarily. Any hearing granted by the director shall be governed by Chapter 536, RSMo. Any person aggrieved by a refusal of an initial or renewal application may request a hearing before the Administrative Hearing Commission as provided by law.

(C) Revocations or Suspensions of License for Insurance Producers, Bail Bond Agents or Surety Recovery Agents. In all administrative actions for discipline or disqualification of a bail bond agent under section 374.787, RSMo, a surety recovery agent under section 374.787, RSMo, or an insurance producer under section 375.141, RSMo, the Consumer Affairs Division may submit an *ex parte* request to the director for the filing of a complaint with the Administrative Hearing Commission. No order of revocation or suspension under sections 374.755, 374.787 and 375.141, RSMo, may be issued by the director unless the matter has been referred to the Administrative Hearing Commission or has been resolved by settlement under section 621.045, RSMo. Once the Administrative Hearing Commission has issued its findings of fact and conclusions of law supporting cause for discipline, the director shall convene a hearing to consider appropriate disciplinary action, and shall enter a final order.

(2) Proceedings Before the Administrative Hearing Commission.

(A) Refusal of License for Insurance Producers, Bail Bond Agents or Surety Recovery Agents. Any person aggrieved by refusal of an initial or renewal application for a bail bond agent license, a surety recovery agent license or an insurance producer license by the director may file a petition with the Administrative Hearing Commission in accordance with section 374.051, RSMo, and section 374.750, 374.786 or 375.141, RSMo.

(B) Revocations or Suspensions of License for Insurance Producers, Bail Bond Agents or Surety Recovery Agents. In matters involving the revocation or suspension of the license of insurance producers, bail bond agents or surety recovery agents, the Consumer Affairs Division shall initiate the matter by submitting to the director, a proposed complaint for filing before the Administrative Hearing Commission in accordance with section 374.051, RSMo and section 374.755, 374.787 or 375.141, RSMo. Attorneys for the director may petition the Administrative Hearing Commission for findings of fact and conclusions of law to support discipline or disqualification. The Administrative Hearing Commission shall, after opportunity for hearing, issue findings of fact and conclusions of law and refer the matter back to the director under section 374.051, RSMo.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.030 Initiating Hearing Before the Director**

*PURPOSE: This rule describes the form and content of the request for hearing, time for filing, number of copies to be filed, the order of hearing, and how notice will be served.*

(1) Request for Hearing. A request for hearing shall be filed with the director by any party or interested person aggrieved by any order or refusal to make an order under Chapters 354 and 374 through 385, RSMo. Any request for hearing shall contain:

(A) The name of the party requesting the hearing;
(B) A brief statement of the facts;
(C) A summary of factual and legal issues involved;
(D) A request for relief; and
(E) The name of the attorney representing the party, if any.

(2) Time for Filing. Any person entitled to request a hearing in any matter within the jurisdiction of the director under Chapters 354 and 374 through 385, RSMo must do so within the statutory time limits, if any, applicable in those cases. If there is no time limit, filing must be within a reasonable period of time not to exceed thirty (30) days from the date of receipt of any notice of action or refusal to take action by the director.

(3) Number of Copies to Be Filed. Three (3) copies of a request for hearing or other related material shall be filed with the director. One (1) copy shall be served by mail on any other party to the matter.

(4) Hearing Order. The director may order a hearing on any matter within the director's jurisdiction under Chapters 354 and 374 through 385, RSMo, or as otherwise provided by law. The director may immediately set the matter for hearing, and may also schedule a prehearing conference. Within fifteen (15) days of receiving a request for hearing, the director shall set the matter for hearing. Subject to more restrictive statutory limitations, a proceeding under the provisions of these rules shall be set for a date not more than ninety (90) days from the date of the request. The hearing order shall contain:

(A) Caption and number of the case;

(B) Name of party filing;

(C) Time, place and date of prehearing conference;

(D) Time, place and date of the hearing;

(E) If a petition or statement of charges was submitted by the Consumer Affairs Division or any other division in the department and the request for hearing has denied assertions of the division or raised an affirmative defense, the date an answer must be filed; and

(F) Citation to rules promulgated by the director regarding hearings.

(5) Notice to Parties. All parties, and at the director's discretion, other interested parties shall be notified promptly by the director upon the filing of a request for hearing or related material. The director shall provide notice by serving copies of all documents filed including the request for hearing and the hearing order.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

## PROPOSED RULE

**20 CSR 800-1.040 General Procedures**

*PURPOSE: This rule describes the general procedures for contested matters.*

(1) Rules of Procedure. The hearings before the director and the Administrative Hearing Commission are governed by Chapter 536, RSMo. The hearings before the Administrative Hearing Commission pursuant to section 374.051, RSMo are governed by the rules in Chapter 1 CSR 15-3. During the pendency of any matter before the Administrative Hearing Commission, the rules in Chapter 1 CSR 15-3 supersede any rules in this chapter that conflict. The director may also be guided by the *Missouri Rules of Civil Procedure*.

(2) Place of Filing. If the matter is to be heard by the director, all pleadings, documents and requests permitted or required to be filed with the department in connection with a hearing shall be delivered, mailed, addressed or submitted to or filed with the director at the Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, 301 West High Street, Jefferson City, MO 65102. If the matter is to be heard by the Administrative Hearing Commission, all pleadings must be filed with the commission. The party filing pleadings or documents shall serve by mail copies of all filed pleadings or documents on all parties.

(3) Service of Hearing Order/Notice of Hearing. Service of the notice of hearing shall be effected upon all parties involved promptly upon issuance of the hearing order and notice, but not less than ten (10) days before the date designated for the hearing either by United States mail, postage prepaid, certified or registered, addressed to the parties' last known address or by another means of personal service.

(4) Form of Documents.

(A) Except as otherwise provided, one (1) original and two (2) copies of all documents shall be signed by the party or by his/her authorized representative or attorney and filed with the director.

(B) Documents shall leave sufficient space to enter the file number and the title of the proceeding in connection with which they are filed.

(C) Documents shall be typewritten or reproduced from typewritten copy on eight and one-half by eleven inch (8 1/2" × 11") white paper.

(D) A certified copy may be submitted in lieu of the original.

(5) Computation of Time.

(A) In computing any period of time prescribed or allowed by this regulation or by any applicable statute, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day that is neither a Saturday, Sunday nor a legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

(B) Notice requirements shall be construed to mean notice received, but proof that notice was dispatched by means reasonably calculated to be received by the prescribed date shall be prima facie evidence that notice was timely received.

(6) Appearance.

(A) Any person entitled to participate in any proceedings may appear as follows:

1. A natural person may appear on his/her own behalf or by an attorney at law licensed to practice in Missouri or both; and

2. A corporation, association or other entity shall be represented by an attorney licensed to practice in Missouri, except a bona fide officer, employee or representative may appear on behalf of such

entities for preliminary matters until such time as an attorney is retained.

(B) Attorneys not licensed to practice in Missouri may appear on motion.

(C) An attorney appearing in a representative capacity shall file a written notice of appearance.

(7) Presiding Officer. The director has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order and insure the development of a clear and complete record. The director possesses all powers necessary to conduct a hearing including, but not limited to, the power to—

(A) Administer oaths and affirmations;

(B) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary and generally conduct the proceedings according to generally recognized administrative law and this chapter;

(C) Examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify;

(D) Rule upon offers of proof and receive relevant evidence;

(E) Sign and issue subpoenas that require attendance giving testimony and the production of books, papers and other documentary evidence;

(F) Direct parties to appear and confer for the settlement or simplification of issues and to otherwise conduct prehearing conferences;

(G) Dispose of procedural requests or similar matters;

(H) Order the filing of written direct testimony by all parties to a hearing. Written direct testimony, if ordered to be filed, shall be on eight and one-half inch by eleven inch (8 1/2" × 11") paper, in question and answer form and the truth sworn to before a notary public. Written direct testimony, if ordered to be filed, shall be in lieu of all live direct testimony except redirect or rebuttal testimony or, if good cause is shown to the director. The right to cross-examination of any witness on whose behalf written direct testimony is filed is mandatory;

(I) Render findings of fact, conclusions of law, decisions and orders; and

(J) Enter any order necessary and proper to effectuate any provision of Chapters 354 and 374 through 385, RSMo.

(8) Transcription of Proceedings.

(A) Oral proceedings at which evidence is presented shall be recorded either by a certified court reporter or a mechanical recording device, but need not be transcribed unless requested by a party who shall pay for the transcription of the portion requested, except as otherwise provided by law. Any transcription will be retained through and including the time allotted for appeal, revision, rehearing or other manner of review prior to final disposition as provided for by law.

(B) The transcript and the record offered in connection with the hearing shall constitute the official record. Before the transcript is filed, the director shall notify the parties that the transcript has been produced, receive corrections from any person, examine the transcript for accuracy and then within a reasonable time certify that it is a true and correct transcript of the hearing. Only after the certification may the transcript be made available for public inspection as the director may allow.

(C) The record in an administrative hearing shall include: prehearing records; all pleadings (including all notices and answers, motions, and briefs); evidence received; a statement of matters officially noticed; offers of proof, objections and rulings; all orders entered by the director; and findings, conclusions, opinions, recommendations and final order of the director.

(9) Existing Statutory or Department Procedures and Practices. This regulation shall not be construed to limit or repeal additional requirements imposed by statute or otherwise or to change existing department procedures which are equivalent to or exceed the standards of administrative procedure prescribed in this regulation.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.050 Notice of Hearing**

*PURPOSE: This rule sets out the timing and content of the notice of hearing.*

(1) Immediately upon setting a hearing, the director shall serve notice by mail on all parties to the matter. Service of notice shall be made by mailing a copy of the hearing order required by 20 CSR 800-1.030(4) to all parties. If a party cannot be reached at the last known address, notice may be given by publication pursuant to *Missouri Rules of Civil Procedure*, Rule 54.17.

(2) The director may serve notice of the hearing on any person the director determines should have notice of the hearing.

(3) If there is a large group whose rights would be affected by the proceeding, notice will be given to a sufficient number of class members as the director determines will give adequate notice to the class.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

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*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.060 Answers and Supplementary Pleadings**

*PURPOSE: This rule describes the form and content of the answer and supplementary pleadings and how they shall be filed.*

(1) Answers.

(A) Matters Prosecuted by a Division before the Director. In any proceeding in which the Consumer Affairs Division, or any other division in the department pursuant to any provision in Chapters 354 and 374 through 385, RSMo, has submitted a petition or statement of charges to the director, or a party challenging the factual basis for an order shall file an answer to the assertions made by the division in its petition. The answer shall be filed within thirty (30) days of receipt of the hearing order, unless the director orders additional time. All answers shall be in writing and should admit those portions of the petition which respondent believes are true and deny those portions of the petition which respondent believes are not true, or for which respondent is without sufficient information to either admit or deny. The answer shall contain a concise statement of those facts, which the respondent believes are true and relevant to the issues raised in the petition. The respondent or legal counsel must sign the answer.

(B) Matters Prosecuted by Others before the Director. In those cases where an applicant has filed a petition and a division within the department has been assigned the duty to file an answer, the answer shall set forth the factual and legal basis for the action of the director. Unless the answer specifically pleads that the petition failed to comply with 20 CSR 800-1.030, objections for failure to comply will be deemed to be waived by the division. Absent a showing that the division has complied with the law and these rules, no complaint of an applicant will be dismissed without a hearing on the merits.

(C) Matters Referred to or Pending in the Administrative Hearing Commission. The hearings before the Administrative Hearing Commission pursuant to section 374.051, RSMo, are governed by the rules in Chapter 1 CSR 15-3.

(2) Rules and Supplementary Pleadings in Matters before the Director.

(A) A petition may be amended without leave of the director at any time preceding the filing of an answer or other responsive pleading by the respondent. After respondent has filed a responsive pleading, leave must be granted to amend or modify any petition.

(B) Answers may be modified or amended without leave of the director at any time up to five (5) days preceding the date on which the hearing in the case is actually held. After this time, all modifications or rules to answers may be made only upon leave being granted by the director.

(C) Unless otherwise ordered, the filing of an answer shall not stay the proceeding or extend the time for the performance of any act.

(D) A party may participate in the proceedings without forfeiting any jurisdictional objection, if the objection is raised at or before the time the party files an answer and before the commencement of the hearing.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.070 Prehearing Conferences**

*PURPOSE: This rule describes the setting and subject matter of the prehearing conference.*

(1) Setting.

(A) In proceedings before the director all prehearing conferences shall be held within thirty (30) days of the hearing order issued by the director, unless continued by the director for good cause.

(B) If legal counsel is retained to represent any party, that counsel shall be present at any prehearing conferences, unless excused by the director. Parties to a proceeding may appear in person with counsel at a prehearing conference.

(2) Subject Matter.

(A) All parties or counsel shall appear and be prepared to discuss the following items:

1. The simplification of issues;
2. The necessity or desirability of amending the pleadings for the purpose of clarification, amplification or limitation;
3. The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;
4. The limitation of the number of witnesses;
5. A discovery schedule, if necessary for the orderly administration of the proceeding;
6. The manner and conditions upon which depositions can be taken;
7. Schedule for disposition of any prehearing motions that have been filed;
8. The propriety of prior mutual exchange between or among the parties of prepared testimony and exhibits;
9. Other matters that may aid in the simplification of the evidence and disposition of the proceeding; and
10. The anticipated length, time and location of the hearing.

(B) Opportunity shall be afforded all parties to be represented by legal counsel and to dispose of the case by stipulation, agreed settlement or consent order, unless otherwise precluded by law. Any stipulation, agreed settlement or consent order reached before a final determination by the director, shall be submitted in writing to the director and shall become effective only if issued or approved by the director.

(C) Only if the director orders or all parties to the matter consent, shall a record of the prehearing conference be kept. It must be certified to by the parties, and then filed in the record being developed by the director.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

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*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.080 Discovery**

*PURPOSE: This rule outlines procedures for, and permits time limits on, discovery.*

(1) Discovery Schedule. The director or the Administrative Hearing Commission may issue orders setting reasonable time limits for completion of discovery and may shorten or lengthen the time parties have to file answers to discovery requests.

(2) Interrogatories. Any party may serve upon any other party written interrogatories, upon and under the same conditions, as in civil actions in the circuit court pursuant to *Missouri Rules of Civil Procedure*, Rule 57, except as limited by section 536.073, RSMo.

(3) Depositions. Any party may take and use depositions in the same manner, upon and under the same conditions, as in civil actions in the circuit court pursuant to *Missouri Rules of Civil Procedure*, Rule 57, except as limited by section 536.073, RSMo.

(4) Requests for Production of Documents. Any party may serve upon any other party a request for documents and things, upon and under the same conditions, as in civil actions in the circuit court pursuant to *Missouri Rules of Civil Procedure*, Rule 58, except as limited by section 536.073, RSMo.

(5) Admission of Facts and of Genuineness of Documents. Any party may serve upon any other party a written request for the admission of facts or of the genuineness of documents, upon and under the same conditions, as in civil actions in the circuit court pursuant to *Missouri Rules of Civil Procedure*, Rule 59, except as limited by section 536.073, RSMo.

(6) Enforcement of Discovery: Sanctions. The director or the Administrative Hearing Commission may enforce discovery or sanction parties, upon and under the same conditions, as in civil actions in the circuit court pursuant to *Missouri Rules of Civil Procedure*, Rule 61, except as limited by section 536.073, RSMo.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements*

*shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.090 Subpoenas**

*PURPOSE: This rule sets out the manner in which subpoenas may be obtained.*

(1) The director shall have the authority to issue subpoenas and subpoenas *duces tecum*.

(A) Subpoenas other than subpoenas *duces tecum* shall be issued upon request of any party, provided the requesting party provides the following information:

1. Caption and number of the case;
2. Name of witness to whom the subpoena is directed;
3. Date and time for appearance; and
4. Place for appearance.

(B) Subpoenas *duces tecum* shall be issued by the director when the director determines the circumstances are proper.

(2) Subpoenas shall extend to all parts of the state and be served and returned as in civil actions in circuit court.

(3) Witnesses shall be entitled to the same fees and travel and attendance fees if compelled to travel more than forty (40) miles from home, as provided for civil actions in circuit court.

(4) Fees for service and witness and travel fees are to be paid by the party requesting the subpoena.

(5) The director shall apply to the circuit court for enforcement of subpoenas pursuant to sections 374.210.2, and 536.077, RSMo.

(6) Upon motion made no less than two (2) days prior to the day specified in the subpoena for compliance or within a shorter time with leave of the director, the director may quash or modify the subpoena if it is unreasonable or oppressive.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, *FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION*
## Division 800—*[General Counsel]* *Administrative Procedures under the Insurance Laws*
## Chapter 1—*Enforcement and Other Contested Case* Hearings

### PROPOSED AMENDMENT

**20 CSR 800-1.100 Administrative Hearing Procedures**. The department is amending the rule in order to implement SB 66, 94th General Assembly, 1st Regular Session (2007).

*PURPOSE: This amendment reflects the reorganization of the Department of Insurance into the Department of Insurance, Financial Institutions and Professional Registration. For purpose of brevity and uniformity, the name "Department of Insurance, Financial Institutions and Professional Registration" will be abridged to "the department" for use in this rule. Furthermore, this amendment implements MO SB 66, 94th General Assembly, 1st Regular Session (2007).*

*PURPOSE: This [regulation]* ***rule*** *prescribes procedures to be followed where* ***enforcement and other contested case*** *hearings are held before the director [of insurance pursuant to the insurance laws which provide for hearings by the Department of Insurance. This regulation was adopted pursuant to section 374.045, RSMo (1986)].*

*[(1) Applicability. These rules apply to all hearings conducted pursuant to provisions contained in the Missouri Revised Statutes unless they conflict with specific statutory hearing requirements, in which case the statutory requirements shall prevail. They shall be read together with Chapter 536, RSMo. They shall not apply to legislative-type nonadversary hearings.*

*(2) Definitions.*

*(A) Director means the director of the Department of Insurance or his/her appointee.*

*(B) Department means the Department of Insurance staff and employees.*

*(C) Hearing means any hearing authorized by or provided for under the Missouri Revised Statutes to be held by the director of the Department of Insurance.*

*(D) Order means the whole or any part of the final decision of the director in any hearing, including findings of fact, opinions, conclusions of law and directives issued.*

*(E) Party means any individual, partnership, corporation, association, public or private organization of any character or any other governmental agency properly seeking to be heard or entitled to intervene in any department proceeding.*

*(F) License means the whole or part of any department permit, certificate of approval, registration, charter, membership, statutory exemption or any other form of permission.*

*(G) Licensing means any department process respecting the granting, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification or conditioning of a license.*

*(3) Filing. Documents and requests permitted or required to be filed with the department in connection with a hearing shall be addressed to or mailed to or filed with the Missouri Department of Insurance, P.O. Box 690, 301 West High Street, Jefferson City, MO 65102.*

*(4) Form of Documents.*

*(A) Except as otherwise provided, one (1) original and two (2) copies of all documents shall be signed by the party or by his/her authorized representative or attorney and filed with the department.*

*(B) Documents shall leave sufficient space to enter the file hearing number and the title of the proceeding in connection with which they are filed.*

*(C) Documents shall be typewritten or reproduced from typewritten copy on eight and one-half by eleven inch (8 1/2" × 11") white paper.*

*(D) A certified copy may be submitted in lieu of the original.*

*(E) For those hearings conducted pursuant to section 375.241, RSMo (1986), the original and six (6) copies shall be filed at least ten (10) days before the hearing.*

*(F) For those hearings conducted pursuant to sections 375.355, RSMo (1986) and 382.060, RSMo (1986), the original and four (4) copies shall be filed at least ten (10) days before the hearing.*

*(5) Computation of Time.*

*(A) In computing any period of time prescribed or allowed by this regulation or by any applicable statute, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.*

*(B) Notice requirements shall be construed to mean notice received, but proof that notice was dispatched by means reasonably calculated to be received by the prescribed date shall be prima facie evidence that notice was timely received.*

*(6) Appearance.*

*(A) Any person entitled to participate in any proceedings may appear as follows:*

*1. A natural person may appear on his/her own behalf or by an attorney at law licensed to practice in Missouri or both; and*

*2. A business, nonprofit or government organization may appear by any bona fide officer, employee or representative or may be represented by an attorney licensed to practice in Missouri or both.*

*(B) Attorneys not licensed to practice in Missouri may appear on motion.*

*(C) An attorney appearing in a representative capacity shall file a written notice of appearance. An Entry of Appearance will not be required of attorneys employed by the Department of Insurance, on a full-time basis, appearing for the department staff.*

*(7) Notice of Hearing. All administrative hearings shall be initiated by the issuance by the department of a written notice of hearing and/or statement of charges, which shall be served upon all known parties to the hearing and which shall clearly give notice of the particular acts complained of by the department, the statutes or rules upon which the allegations in the notice are based, the caption of the case, the time and place for hearing and those matters required section 536.067(2), RSMo (1986).*

*(8) Service of the Notice of Hearing. Service of the notice of hearing shall be effected upon all parties involved not less than ten (10) days before the date designated for the hearing either by United States mail, postage prepaid, certified or registered, addressed to the parties' last known address or by another personal service.*

*(9) Motion and Answer.*

*(A) Any party receiving a notice of hearing may file an answer not later than five days prior to the date of hearing. All answers or motions preliminary to a hearing shall be presented to the department and the director at least five (5) days prior to the date of hearing or on another date the director shall designate and shall be served personally or by registered or certified United States mail.*

*(B) Unless made orally on the record during a hearing or unless the director directs otherwise, an answer or a motion shall be in writing and shall be accompanied by any affidavits or other evidence relied upon. At least two (2) copies of all these motions shall be filed with the department and at least one (1) copy served on each additional party, if any, to the hearing.*

*(C) Within five (5) days after service of a written motion or another period the director may prescribe, a party may file a response in support of or in opposition to the motion, accompanied by affidavits of other evidence. If no response is filed, the parties shall be deemed to have waived objection to the granting of the motion. The moving party shall have no right to reply, except as permitted by the director.*

*(D) No oral argument will be heard on a motion unless the director directs otherwise. A written brief may be filed with a motion or an answer to a motion, stating the arguments and authorities relied upon.*

*(E) A written motion will be disposed of by written order. All parties to the hearing shall receive notice of the disposition, as well as a written copy of the order.*

*(F) The director shall rule upon all motions, except that s/he shall have no authority to dismiss or decide a hearing on the merits without granting all parties to the proceeding a right to be heard and to establish a record.*

*(G) Unless otherwise ordered, the filing of an answer or motion shall not stay the proceeding or extend the time for the performance of any act.*

*(H) A party may participate in the proceedings without forfeiting any jurisdictional objection, if the objection is raised at or before the time the party files his/her answer or motion or if no answer or motion is made before the commencement of the hearing.*

*(10) Consolidation and Severance of Matters—Additional Parties. In the interest of convenient, expeditious and complete determination of matters, the director may consolidate or sever hearing proceedings involving any number of parties and may order additional parties to be brought in.*

*(11) Intervention.*

*(A) Upon timely written application, the director shall permit any party to intervene in a hearing proceeding, subject*

*to the necessity for conducting an orderly and expeditious hearing, when either of the following conditions is met:*

*1. When the party is so situated that s/he will be adversely affected by a final order arising from the hearing; or*

*2. When a party's circumstances and the hearing proceeding have a question of law or fact in common.*

*(B) Two (2) copies of a petition for intervention shall be filed with the department and one (1) copy served on each additional party no later than forty-eight (48) hours prior to the date set for hearing of the matters set forth in the notice of hearing. The director may permit later intervention when there is good cause for the delay.*

*(C) An intervenor shall have all the rights for an original party, except that the director, in his/her order allowing intervention, may provide that the applicant shall be bound by orders entered or by evidence received, that the applicant shall not raise issues which might more properly have been raised at an earlier stage of the proceeding, that the applicant shall not raise new issues or add new parties or that in other respects the applicant shall not interfere with the control of the hearing, as justice and the avoidance of undue delay may require.*

*(12) Postponement of Continuance of Hearing. A hearing may be postponed or continued by the director upon good cause shown by a party to the hearing or at the discretion of the director for good cause. Notice of any postponement or continuance shall be given in writing to all parties to the hearing within a reasonable time in advance of the previously scheduled hearing date.*

*(13) Authority of the Director. The director or his/her appointee has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order and insure the development of a clear and complete record. S/he shall have all powers necessary to conduct a hearing including, but not limited to, the power to—*

*(A) Administer oaths and affirmations;*

*(B) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary and generally conduct the proceedings according to generally recognized administrative law and this regulation;*

*(C) Examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify;*

*(D) Rule upon offers of proof and receive relevant evidence;*

*(E) Sign and issue subpoenas that require attendance giving testimony and the production of books, papers and other documentary evidence;*

*(F) Direct parties to appear and confer for the settlement or simplification of issues and to otherwise conduct prehearing conferences;*

*(G) Dispose of procedural requests or similar matters;*

*(H) Render findings of fact, opinions and recommendations;*

*(I) Order the filing of written direct testimony by all parties to a hearing. Written direct testimony, if ordered to be filed, shall be on eight and one-half inch by eleven inch (8 1/2" × 11") paper, in question and answer form and the truth sworn to before a notary public. Written direct testimony, if ordered to be filed, shall be in lieu of all live direct testimony except redirect or rebuttal testimony or if good cause is shown to the director. The right to cross-examination of any witness on whose behalf written direct testimony is filed is mandatory; and*

*(J) Enter any order that further carries out the purpose of this regulation.*

*(14) Prehearing Conferences.*

*(A) Upon written notice of the director or upon written request by any party, the director may direct parties or their attorneys to appear at a specified time and place for a conference, prior to or during the course of hearing, for the purpose of formulating issues and considering—*

*1. The simplification of issues;*

*2. The necessity or desirability of amending the pleadings for the purpose of clarification, amplification or limitation;*

*3. The possibility of making admissions of certain averments of fact or stipulations concerning the use by either or both parties of matters of public record to avoid unnecessary introduction of proof or any other matters to which the parties may stipulate;*

*4. The limitation of the number of witnesses;*

*5. The propriety of prior mutual exchange between or among the parties of prepared testimony and exhibits; and*

*6. Other matters as may aid in the simplification of the evidence and disposition of the proceeding.*

*(B) Opportunity shall be afforded all parties to be represented by legal counsel and to dispose of the case by stipulation, agreed settlement or consent order, unless otherwise precluded by law. Any stipulation, agreed settlement or consent order reached before a final determination by the department, shall be submitted in writing to the director and shall become effective only if approved by the director.*

*(C) Only if all parties to a controversy agree, shall a record of the prehearing conference be kept. It must be certified to by the parties, then filed with the case material in the departmental files.*

*(15) Discovery shall be permitted to the full extent authorized by section 536.073, RSMo. The director shall have authority to the full extent authorized by law to make orders or sanctions concerning discovery.*

*(A) All depositions and interrogatories taken pursuant to this regulation shall be for purposes of discovery only, except as provided. The depositions and interrogatories may be used for purposes of impeachment and as admissions of the deposed or interrogated party. Upon application to the director either before or after the taking of the deposition or interrogatories and upon a showing that at the time of the hearing, the party deposed or interrogated will not be available to participate in the hearing because of death, age, sickness, infirmity, absence from the country or other exceptional circumstances, the director may order that the deposition or interrogatories be used as evidence in the hearing.*

*(16) Subpoenas.*

*(A) Upon application to the director by department counsel or any party, s/he shall issue, for good cause shown, a subpoena for attendance at deposition or hearing, which may include a command to produce books, papers, documents or tangible things designated and reasonably necessary to resolution of the matter under consideration, subject to the limitations on discovery prescribed by this regulation.*

*(B) Every subpoena shall state the title of the action and shall command each person to whom it is directed to attend and give testimony at the time and place specified.*

*(C) The director, upon motion made before the day specified in the subpoena for compliance, may quash or modify the subpoena if it is unreasonable and oppressive.*

*(17) Conduct of the Hearing.*

*(A) All hearings shall be public unless required by statute to be otherwise.*

*(B) The following shall be the order of proceedings of all hearings, subject to modification by the director for good cause:*

*1. Presentation, argument and disposition of motions preliminary to a hearing on the merits of the matters raised in the notice or answer;*

*2. Presentation of opening statements;*

*3. Complainant's case in chief;*

*4. Respondent's case in chief;*

*5. Complainant's case in rebuttal;*

*6. Statements from interested citizens, if authorized by the director or his/her appointee;*

*7. Complainant's closing statement, which may include legal argument;*

*8. Respondent's closing statement, which may include legal argument; and*

*9. Presentation and argument of all motions prior to final order.]*

**(1) Prehearing Motions. The director may consider any motions to dismiss, motions to vacate, motions for summary determination, or any other motions prior to commencement of the hearing on the merits.**

**(2) Presentation of Opening Statements. The division within the department shall make the first opening statement. Other parties may make an opening statement immediately following the division's statement or may do so prior to commencing their presentation of evidence.**

**(3) Presentation of Evidence. The order in which the evidence will be presented is as follows:**

**(A) The division within the department shall present its evidence first. The burden of proof in a hearing on the merits in matters relating to an order of the director, or the failure of the director to act, shall be on the agency. The burden of proof for affirmative defenses shall be upon the party claiming the affirmative defense;**

**(B) Other parties shall then present their evidence; and**

**(C) Each party has the right to rebut the evidence presented.**

**(4) Closing Arguments. All parties may make closing arguments. The party with the burden of proof shall have the opportunity for rebuttal argument.**

*[(18)]* **(5)** Default. Failure of a party to **answer a verified petition,** appear on the date set for hearing or failure to proceed as ordered by the director shall constitute a default. The director shall enter those findings, **conclusions,** opinions, recommendations or orders as are appropriate under the pleadings and evidence as *[s/he]* **the director** shall receive into the record.

*[(19)]* **(6) Rules of** Evidence.

(A) The director shall receive evidence which is admissible under the law of the rules of evidence of Missouri pertaining to civil actions or under the Administrative Procedure Act, Chapter 536, RSMo *[(1986)]*. In addition, the director may receive materially relevant evidence which would be relied upon by a reasonably prudent person in the conduct of serious affairs if it is reasonably necessary to resolution of the issue for which it is offered; provided that the rules relating to privileged communications and privileged topics shall be observed.

(B) The director shall exclude immaterial, irrelevant and repetitious evidence.

(C) When the admissibility of disputed evidence depends upon an arguable interpretation of substantive law, the director shall admit the evidence.

(D) A party may conduct examinations or cross-examinations without adherence to formal rules of evidence, provided the examination or cross-examination can be shown to be necessary and pertinent to a full and fair disclosure of the subject matters of the hearing.

*[(20) Official Notice.]* **(E)** Official notice may be taken of all facts of which judicial notice may be taken and of other facts, of a technical nature, within the specialized knowledge and experience of the *[department]* **director**.

*[(21) Hostile Witnesses.*

*(A) If the director determines that a witness is hostile or unwilling, the witness may be examined by the party calling him/her as if under cross-examination.*

*(B) The party calling an occurrence witness, upon the showing that s/he called the witness in good faith and is surprised by his/her testimony, may impeach the witness by proof of prior inconsistent statements.*

*(22) Transcription Proceedings.*

*(A) Oral proceedings at which evidence is presented shall be recorded either by a certified court reporter or a mechanical recording device, but need not be transcribed unless requested by a party who shall pay for the transcription of the portion requested, except as otherwise provided by the department or by law. Any transcription will be retained through and including the time allotted for appeal, revision, rehearing or other manner of review prior to final disposition as provided for by the department or by law.*

*(B) The transcript and the record offered in connection with the hearing shall constitute the official record. Before the transcript is filed, the director shall notify the parties that the transcript has been produced, receive corrections from any person, examine the transcript for accuracy and then within a reasonable time certify that it is a true and correct transcript of the hearing. Only after the certification may the transcript be made available for public inspection as the department may allow.*

*(C) The record in an administrative hearing shall include: prehearing records; all pleadings (including all notices and answers, motions, briefs and rulings); evidence received; a statement of matters officially noticed; offers of proof, objections and rulings; and findings, opinions and recommendations of the director.*

*(23) Briefs. The parties may submit written briefs to the director within ten (10) days after the close of the hearing or another reasonable time as they shall determine consistent with the director's responsibility for expeditious decision. Submission of briefs is not required.*

*(24) Director's]* **(7)** Findings, **Conclusions,** Opinions and *[Recommendations]* **Final Orders**.

(A) The director's findings, **conclusions,** opinions and *[recommendations]* **final orders** shall be in writing and shall include findings of fact and conclusions of law or opinions separately stated when possible. Findings of fact shall be based exclusively on the evidence presented at the hearing or known to all parties, including matters officially noticed. Findings of fact, if set forth in statutory language, shall be accompanied by a statement of the underlying supporting facts. If a party submits proposed findings of fact which may control the decision or order, the decision or order shall include a ruling upon each proposed finding. Each conclusion of law shall be supported by authority or reasoned opinion. A decision or order shall not be except upon consideration of the record as a whole or such

portion as may be supported by competent and substantial material evidence on the whole record.

(B) A copy of the order immediately shall be delivered personally or mailed, postage prepaid, certified or registered, to each party and to his/her attorney of record.

(C) The director, as part of *[his/her]* **the final** order, may *[require]* **order any other relief authorized by law, including requiring** any party to the proceeding to pay part or all of the costs of the hearing, including, but not limited to, witness fees, court reporter fees, director fees and the cost of the transcript.

(D) *[All]* **The director may request that** attorneys representing parties *[shall]* submit proposed orders at the close of the hearing.

*[(25)]* **(8)** Rehearings.

(A) Except as otherwise provided by law and for good cause shown, the director may order, in *[his/her]* **the director's** discretion**,** a rehearing in a contested case on petition of an interested party.

(B) Where the record of testimony made at the hearing is found by the director to be inadequate for purposes of judicial review, *[s/he]* **the director** may order a reopening of the hearing.

(C) A rehearing shall be noticed and conducted in the same manner as an original hearing. The evidence received at the rehearing shall be included in the record for director's reconsideration and for judicial review.

(D) Except as expressly permitted by law, no rehearing may be held in a contested case after order by the director unconditionally disposing of all issues.

*[(26) Existing Statutory or Department Procedures and Practices. This regulation shall not be construed to limit or repeal additional requirements imposed by statute or otherwise or to change existing department procedures which are equivalent to or exceed the standards of administrative procedure prescribed in this regulation.]*

*AUTHORITY: sections 354.120 and 374.045, RSMo [Supp. 1996]* ***2000 and 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007)****. This rule was previously filed as 4 CSR 190-19.010. Original rule filed Aug. 5, 1974, effective Aug. 15, 1974. For intervening history, please consult the* ***Code of State Regulations****. Amended: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed amendment at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed amendment, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

## Division 800—Administrative Procedures under the Insurance Laws

## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.110 Motions, Suggestions and Legal Briefs**

*PURPOSE: This rule states when motions, suggestions and legal briefs may be filed and answered.*

(1) Motions and Suggestions. Each party shall be entitled to file motions and to present written suggestions, accompanied by oral argument if the party so chooses. Motions and supporting affidavits or legal suggestions may be filed at any time during the pendency of the proceeding. Opposing parties shall file any responsive pleading within five (5) business days, unless the director grants additional time.

(2) Briefs. At any time prior to submitting the cases for consideration at the close of the hearing, a party may seek leave to file a brief. If leave is granted, a party shall have twenty (20) days after leave is granted to prepare and file its brief. The other parties will be given twenty (20) days to file responsive briefs. An original of the briefs must be filed with the director. The filing party shall also mail all briefs filed to all other parties.

(3) Decision on the Pleadings. The director shall rule upon all motions, except that the director shall not dismiss or decide a matter on the merits without granting all parties to the proceeding the opportunity to a hearing and to establish a record.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.120 Intervention, Joinder, Consolidation and Severance**

*PURPOSE: This rule describes the procedure for intervention by or joinder of other parties, and the consolidation or severance of matters.*

(1) Intervention.

(A) Upon timely written application, the director shall permit any party to intervene in a proceeding, subject to the necessity for conducting an orderly and expeditious hearing, when either of the following conditions is met:

1. When the party is so situated that the party will be adversely affected by a final order arising from the hearing; or

2. When a party's circumstances and the hearing proceeding have a question of law or fact in common.

(B) Two (2) copies of a petition for intervention shall be filed with the director and one (1) copy served on each additional party no later than forty-eight (48) hours prior to the date set for hearing of the matters set forth in the notice of hearing. The director may permit later intervention when there is good cause for the delay.

(C) An intervenor shall have all the rights of an original party, except that the director, in the order allowing intervention, may provide that the applicant shall be bound by orders entered or by evidence received, that the applicant shall not raise issues which might more properly have been raised at an earlier stage of the proceeding, that the applicant shall not raise new issues or add new parties or that in other respects the applicant shall not interfere with the control of the hearing, as justice and the avoidance of undue delay may require.

(2) Joinder of Additional Parties. Upon motion by any party, the director may join another person if doing so will facilitate the convenient, expeditious and complete determination of matters already raised in the proceeding.

(3) Consolidation and Severance of Matters. In the interest of convenient, expeditious and complete determination of matters, the director may consolidate or sever proceedings involving any number of parties.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.130 Hearing Officers**

*PURPOSE: This rule provides for the appointment of hearing officers by the director.*

(1) In all proceedings before the director initiated under the provisions of Chapters 354 and 374 through 385, RSMo, the director pursuant to section 374.120.2, RSMo, may appoint a hearing officer to conduct the hearing.

(2) Upon written request of a party, the director may modify any interim ruling of the hearing officer, but no hearing on the request must be provided.

(3) When the hearing has been completed, the hearing officer shall recommend findings of fact, conclusions of law and a final order to the director. The director shall dispose of the matter in the manner applicable to proceedings conducted by the director. No hearing on the recommendations of the hearing officer must be provided.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 1—Enforcement and Other Contested Case Hearings

### PROPOSED RULE

**20 CSR 800-1.140 Public Hearing**

*PURPOSE: This rule clarifies that all hearings will be public, the parties may attend and notice will be made at the offices of the department director.*

(1) All hearings before the director shall be open to the public. All parties have a right to be present.

(2) Notice of the hearing will be posted prominently at the front door of the offices of the department director, Room 530, 301 W. High Street, Jefferson City, MO 65101.

*AUTHORITY: sections 354.120 and 374.045, RSMo 2000, 374.705, RSMo Supp. 2006, 376.1528 (HB 818, Laws 2007) and 385.218 (HB 221, Laws 2007). Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, *FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION*
## Division 800—*[General Counsel] Administrative Procedures under the Insurance Laws*
## Chapter 2—*[Miscellaneous] Insurers' Consent to Service of Process*

### PROPOSED AMENDMENT

**20 CSR 800-2.010 Service of Process**. The department is amending sections (1)–(4) and (6). Additionally, the department is removing Exhibits A and B.

*PURPOSE: This amendment reflects the reorganization of the Department of Insurance into the Department of Insurance, Financial Institutions and Professional Registration. For purpose of brevity and uniformity, the name "Department of Insurance, Financial Institutions and Professional Registration" will be abridged to "the department" for use in this rule. Furthermore, this amendment may correct any minor grammatical or spelling errors.*

*PURPOSE: This rule specifies procedures for service of process on insurance companies. It was adopted pursuant to the provisions of section 374.045, RSMo [1986] and in order to implement sections 375.256, 375.261, 375.281, 375.906 and 379.680, RSMo [1986].*

(1) Service on Authorized Foreign and Alien Insurers.

(A) Service of process on foreign and alien insurance companies authorized to do business in this state is made by delivery to the director, deputy director or *[chief clerk]* **a designee of the director** of two (2) copies of the summons and two (2) copies of the petition by the sheriff of Cole County, Missouri**,** *[or]* the United States Marshal's Office **or any other authorized individual** (section 375.906, RSMo *[1986]*).

(B) Upon receipt of service, *[the chief clerk]* **a designee of the director** shall forward one (1) copy by first-class mail to *[the secretary of]* the defendant insurer and retain one (1) copy for filing with the department *[(see Exhibit A)]*. **A designee of the director shall also forward an affidavit of service to the appropriate court.**

(C) All service fees must be forwarded with the summons to the sheriff of Cole County, Missouri. The department will bill plaintiff's attorneys *[twenty]* **ten** cents (*[20¢]* **$.10**) per page for copying the summons and petitions when an insufficient number of copies are received.

*[(D) No notice is given to the clerk of the court of the forwarding of the service of process.]*

(2) Service on Unauthorized Foreign Companies.

(B) Upon receipt of service, *[the chief clerk]* **a designee of the director** will forward one (1) copy to the insurer by certified mail, return receipt requested. Upon return of the receipt, *[the chief clerk]* **a designee of the director** will send the return receipt to the clerk of the court from which service was issued along with a certificate of service. The clerk will receive a statement of costs incurred by the department (sections 375.256 and 375.261, RSMo *[1986]*).

(C) The insurance company will be required to either post a bond or obtain a certificate of authority as required by section 375.281, RSMo *[1986]*. A Notice of Bond Requirement will be sent to the insurance company with a copy to the clerk of the court *[(see Exhibit B)]*.

(3) Service on Reciprocal or Interinsurance Exchanges. Service of process on reciprocal or interinsurance exchanges organized under Missouri law shall be made by delivery of three (3) copies of the summons and petition to the director by the sheriff of Cole County, Missouri**,** *[or]* the United States Marshal's Office **or any other authorized individual**. *[The chief clerk]* **A designee of the director** of the *[D]***d**epartment *[of Insurance]* shall forward one (1) copy to the company, retain one (1) copy and return one (1) copy with his/her admission of service to the clerk of the court (section 379.680, RSMo *[1986]*). The department will bill the plaintiff's attorney at the rate of *[twenty]* **ten** cents (*[$.20]* **$.10**) for copying the summons and petition when an insufficient number of copies are submitted.

(4) Service on Domestic Companies and Health Service Corporations. Service on insurance companies incorporated under the laws of this state and all health service corporations (Chapter *[345]* **354**, RSMo), is made in the same manner as service on any other Missouri corporation pursuant to Missouri Supreme Court Rule 54.01.

(6) Misstatement of Name of Insurer. Whenever the *[D]***d**epartment *[of Insurance]* is unable to determine the defendant in an action due to a misstatement of the name of the insurer, all papers will be returned to the clerk of the court issuing service. Attorneys should state the complete name of the insurer due to the similarity in names of many companies.

*[EXHIBIT A*
*Missouri Department of Insurance*
*Notice of Service*

*To The Secretary of:*

*At ____m. on the _____ day of _____, _____.*

*Service was made in the case of:*
*Plaintiff*
*Defendant*

_____

*Court of*_____

*County. Case No.*_____

*By:*_____
*Deputy Sheriff, Cole County, Missouri*
*In accordance with section 375.906, RSMo 1986, Supreme Court Rule 54.18 and your appointment of the director of insurance to receive service for your company.*

_____
*Chief Clerk*

*EXHIBIT B*
*Missouri Department of Insurance*
*Notice of Bond Requirement*

*To:*
*Case No.*_____

*Plaintiff,*

*Defendant.*

*You are hereby notified that before you may file any pleading in this matter you must:*

*(1) Deposit with the clerk of the court in which the action, suit or proceedings is pending, cash or securities, or shall file with the clerk a bond with good and sufficient securities to be approved by the court, in any amount to be fixed by the court sufficient to secure the payment of any final judgement which may be rendered against it in the action, together with costs thereof; provided, however, that the court, in its discretion, may make an order dispensing with the deposit or bond where the insurer makes a showing satisfactory to the court that it maintains in a state of the United States funds or securities, in trust or otherwise, sufficient and available to satisfy any final judgement which may be entered in the action, suit or proceedings; or*
*(2) Procure a certificate of authority to transact the business of insurance in this state. All by authority of Sections 375.281 and 375.286, RSMo 1986.*

*Director*_____

*cc: Clerk of Court]*

*AUTHORITY: sections 374.045, [RSMo Supp. 1998] 375.256, 375.261, 375.281, 375.906, and 379.680, RSMo [1994]* ***2000****. This rule was previously filed as 4 CSR 190-10.070. Original rule filed Aug. 5, 1974, effective Aug. 15, 1974. Amended: Filed Sept. 5, 1975, effective Sept. 15, 1975. Amended: Filed April 23, 1999, effective Nov. 30, 1999. Amended: Filed Sept. 5, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed amendment at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed amendment, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 3—Mergers and Acquisitions

### PROPOSED RULE

**20 CSR 800-3.010 Definitions**

*PURPOSE: This rule describes the general procedures for hearings authorized in review of mergers and acquisitions.*

(1) Applicability of Rules. The rules in this chapter apply to all hearings conducted pursuant to the merger and acquisition review procedures in sections 375.355 and 382.060, RSMo and are governed by Chapter 536, RSMo. The rules shall be read together with Chapter 536, RSMo.

(2) Definitions.
(A) "Certificate of Authority" the whole or part of any certificate of approval or charter granted by the director for any insurance company, insurer, association, health services corporation, health maintenance organization, or other legal entity insuring risk.
(B) "Director" the director of the department.
(C) "Department" means the Department of Insurance, Financial Institutions and Professional Registration.
(D) "Party" any individual, partnership, corporation, association, public or private organization of any character or any other governmental agency properly requesting a hearing, named as a respondent, seeking to be heard or entitled to intervene in any matter under the rules in this chapter.
(E) "Respondent" any party in an administrative proceeding before the director under sections 375.355 and 382.060, RSMo.

*AUTHORITY: section 374.045, RSMo 2000. Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, Missouri 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 3—Mergers and Acquisitions

## PROPOSED RULE

**20 CSR 800-3.020 General Procedures**

*PURPOSE: This rule describes the general procedures for hearings authorized in review of mergers and acquisitions.*

(1) Rules of Procedure. The hearings before the director pursuant to sections 375.355 and 382.060, RSMo are governed by Chapter 536, RSMo.

(2) Place of Filing. If the matter is to be heard by the director, all pleadings, documents and requests permitted or required to be filed with the department in connection with a hearing shall be delivered, mailed, addressed or submitted to or filed with the director at the Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, 301 West High Street, Jefferson City, MO 65102. The party filing pleadings or documents shall serve by mail copies of all filed pleadings or documents on all parties.

(3) Service of Hearing Order/Notice of Hearing. Service of the notice of hearing shall be effected upon all parties involved promptly upon issuance of the hearing order and notice, but not less than ten (10) days before the date designated for the hearing either by United States mail, postage prepaid, certified or registered, addressed to the parties' last known address or by another means of personal service.

(4) Form of Documents.

(A) Except as otherwise provided, one (1) original and four (4) copies of all documents shall be signed by the party or by his/her authorized representative or attorney and filed with the director.

(B) Documents shall leave sufficient space to enter the file hearing number and the title of the proceeding in connection with which they are filed.

(C) Documents shall be typewritten or reproduced from typewritten copy on eight and one-half by eleven inch (8 1/2" × 11") white paper.

(D) A certified copy may be submitted in lieu of the original.

(5) Computation of Time.

(A) In computing any period of time prescribed or allowed by this regulation or by any applicable statute, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day that is neither a Saturday, Sunday nor a legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

(B) Notice requirements shall be construed to mean notice received, but proof that notice was dispatched by means reasonably calculated to be received by the prescribed date shall be prima facie evidence that notice was timely received.

(6) Appearance.

(A) Any person entitled to participate in any proceedings may appear as follows:

1. A natural person may appear on his/her own behalf or by an attorney at law licensed to practice in Missouri or both; and

2. A corporation, association or other entity shall be represented by an attorney licensed to practice in Missouri, except a bona fide officer, employee or representative may appear on behalf of such entities for preliminary matters until such time as an attorney is retained.

(B) Attorneys not licensed to practice in Missouri may appear on motion.

(C) An attorney appearing in a representative capacity shall file a written notice of appearance.

(7) Presiding Officer. The director has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order and insure the development of a clear and complete record. The director possesses all powers necessary to conduct a hearing including, but not limited to, the power to—

(A) Administer oaths and affirmations;

(B) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary and generally conduct the proceedings according to generally recognized administrative law and this regulation;

(C) Examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify;

(D) Rule upon offers of proof and receive relevant evidence;

(E) Sign and issue subpoenas that require attendance giving testimony and the production of books, papers and other documentary evidence;

(F) Direct parties to appear and confer for the settlement or simplification of issues and to otherwise conduct prehearing conferences;

(G) Dispose of procedural requests or similar matters;

(H) Render findings of fact, conclusions of law, decisions and orders;

(I) Order the filing of written direct testimony by all parties to a hearing. Written direct testimony, if ordered to be filed, shall be on eight and one-half inch by eleven inch (8 1/2" × 11") paper, in question and answer form and the truth sworn to before a notary public. Written direct testimony, if ordered to be filed, shall be in lieu of all live direct testimony except redirect or rebuttal testimony or if good cause is shown to the director. The right to cross-examination of any witness on whose behalf written direct testimony is filed is mandatory; and

(J) Enter any order necessary and proper to effectuate any provision of Chapters 354 and 374 through 385, RSMo.

(8) Transcription of Proceedings.

(A) Oral proceedings at which evidence is presented shall be recorded either by a certified court reporter or a mechanical recording device, but need not be transcribed unless requested by a party who shall pay for the transcription of the portion requested, except as otherwise provided by law. Any transcription will be retained through and including the time allotted for appeal, revision, rehearing or other manner of review prior to final disposition as provided for by law.

(B) The transcript and the record offered in connection with the hearing shall constitute the official record. Before the transcript is filed, the director shall notify the parties that the transcript has been produced, receive corrections from any person, examine the transcript for accuracy and then within a reasonable time certify that it is a true and correct transcript of the hearing. Only after the certification may the transcript be made available for public inspection as the director may allow.

(C) The record in an administrative hearing shall include: prehearing records; all pleadings (including all notices and answers, motions, and briefs); evidence received; a statement of matters officially noticed; offers of proof, objections and rulings; all orders entered by the director; and findings, conclusions, opinions, recommendations and final order of the director.

(9) Existing Statutory or Department Procedures and Practices. This regulation shall not be construed to limit or repeal additional requirements imposed by statute or otherwise or to change existing department procedures which are equivalent to or exceed the standards of administrative procedure prescribed in this regulation.

*AUTHORITY: section 374.045, RSMo 2000. Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 800—Administrative Procedures under the Insurance Laws
## Chapter 3—Mergers and Acquisitions

### PROPOSED RULE

**20 CSR 800-3.040 Hearing Officers**

*PURPOSE: This rule provides for the appointment of hearing officers by the director.*

(1) In all proceedings before the director initiated under the provisions of sections 375.355, and 382.060, RSMo, the director pursuant to section 374.120.2, RSMo, may appoint a hearing officer to conduct the hearing.

(2) Upon written request of a party, the director may modify any interim ruling of the hearing officer, but no hearing on the request must be provided.

(3) When the hearing has been completed, the hearing officer shall recommend findings of fact, conclusions of law and a final order to the director. The director shall dispose of the matter in the manner applicable to proceedings conducted by the director. No hearing on the recommendations of the hearing officer must be provided.

*AUTHORITY: section 374.045, RSMo 2000. Original rule filed Sept. 5, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 10:00 a.m. on December 5, 2007 at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed rule, until 5:00 p.m. on December 5, 2007. Written statements shall be sent to Tamara Wallace, Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.*

*SPECIAL NEEDS: If you have any special needs addressed by the Americans with Disabilities Act, please notify us at (573) 751-6798 or (573) 751-2619 at least five (5) working days prior to the hearing.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 2150—State Board of Registration for the Healing Arts
## Chapter 6—Licensure of Athletic Trainers

### PROPOSED RESCISSION

**20 CSR 2150-6.025 Examination**. This rule provided specific instructions to applicants regarding examination procedures.

*PURPOSE: This rule is being rescinded because the board no longer provides an exam for athletic trainers.*

*AUTHORITY: section 334.706, RSMo Supp. 2004. This rule originally filed as 4 CSR 150-6.025. Original rule filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed March 1, 2005, effective Aug. 30, 2005. Moved to 20 CSR 2150-6.025, effective Aug. 28, 2006. Rescinded: Filed Sept. 13, 2007.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by emailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
## Division 2263—State Committee for Social Workers
## Chapter 2—Licensure Requirements

### PROPOSED AMENDMENT

**20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities**. The board is proposing to amend section (1), subsection (2)(I) and section (3).

*PURPOSE: This amendment requires social worker supervisors to possess at least a master's degree in social work.*

(1) An acceptable supervisor for clinical social worker licensure **has a master's or doctorate degree from a college or university program of social work accredited by the Council on Social Work Education (CSWE) and is** a Missouri licensed clinical social worker or licensed clinical social worker from another state whose licensure laws, as determined by the committee, are equivalent to Missouri. An acceptable supervisor for baccalaureate social worker licensure is a Missouri licensed clinical social worker **who has a master's or doctorate degree in social work from a college or university program of social work accredited by the Council on Social Work Education (CSWE)** or licensed clinical social worker from another state, or a Missouri licensed baccalaureate social worker or licensed baccalaureate social worker from another state, whose licensure laws, as determined by the committee, are equivalent to Missouri. The acceptable supervisor cannot be a relative of the supervisee.

(2) The practice of clinical or baccalaureate social work of the supervisee shall be performed under the supervisor's control, oversight, guidance and full professional responsibility. This shall include all applicable areas of practice including but not limited to:

(I) *[Such a contract shall not be valid]* **Acceptable safeguards shall be built into the contract** if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor's evaluation of the supervisee;

(3) *[Upon completion]* **Within fourteen (14) days of the termination** of the supervised experience, the supervisor shall complete **the committee's** an Attestation of Supervision Form, *[provided by the committee, attesting to]* **summarizing** the supervisee's performance and level of compliance with the requirements for supervised social work experience.

**(A) If the supervisor does not recommend the supervisee for licensure, or recommends licensure with reservation, the Attestation Form shall be supplemented with a detailed statement explaining why recommendation for licensure without reservation cannot be made. Exhibits may be attached to the statement of explanation.**

**(B) A copy of the statement of explanation, and any exhibits, shall be delivered to the supervisee.**

**(C) The supervisee may respond to the statement of explanation within fourteen (14) days, in writing or by making a request for an appearance before the board.**

**(D) The supervisor and the supervisee shall promptly respond to any inquiry made by the committee or at its direction regarding the Attestation of Supervision Form or the statement of explanation.**

*AUTHORITY: sections 337.627, RSMo 2000 and 337.600, 337.612, 337.615, 337.665 and 337.677, RSMo Supp. [2004]* ***2006****. This rule originally filed as 4 CSR 263-2.031. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the* ***Code of State Regulations****. Amended: Filed Sept. 13, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, Attention: Tom Reichard, PO Box 1335, Jefferson City, MO 65102, by faxing (573) 526-3489 or via email at lcsw@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the* ***Missouri Register****. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

## Title 1—OFFICE OF ADMINISTRATION
## Division 15—Administrative Hearing Commission
## Chapter 3—Procedure For All Contested Cases Under Statutory Jurisdiction

### ORDER OF RULEMAKING

By the authority vested in the Administrative Hearing Commission under sections 621.035, RSMo 2000 and 621.053 and 621.198, RSMo Supp. 2006, the commission amends a rule as follows:

**1 CSR 15-3.350** Complaints **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1025–1026). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended on August 1, 2007. No comments were received.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2006 and 168.011, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.200** Application for Certificate of License to Teach **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 759). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2006 and 168.011, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.220** Application for Certificate of License to Teach for Administrators **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 759–760). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2006 and 168.011, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.230** Application for a Student Services Certificate of License to Teach **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 760). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**
**Division 80—Teacher Quality and Urban Education**
**Chapter 800—Educator Certification**

## ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.083, RSMo Supp. 2006 and 168.011, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.260** Temporary Authorization Certificate of License to Teach **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 760). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**
**Division 80—Teacher Quality and Urban Education**
**Chapter 800—Educator Certification**

## ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2006 and 168.011, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.270** Application for Career Education Certificate of License to Teach **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 760–761). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**
**Division 80—Teacher Quality and Urban Education**
**Chapter 800—Educator Certification**

## ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071 and 168.081, RSMo Supp. 2006 and 168.011, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.280** Application for an Adult Education and Literacy Certificate of License to Teach **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 761). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**
**Division 80—Teacher Quality and Urban Education**
**Chapter 800—Educator Certification**

## ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2006 and 168.011 and 168.405, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.350** Certificate of License to Teach Content Areas **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 761–762). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**
**Division 80—Teacher Quality and Urban Education**
**Chapter 800—Educator Certification**

## ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2006 and 168.011, 168.128, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.360** Certificate of License to Teach Classifications **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 762). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION**
**Division 80—Teacher Quality and Urban Education**
**Chapter 800—Educator Certification**

## ORDER OF RULEMAKING

By authority vested in the State Board of Education under sections 161.092, 168.021, 168.071, 168.081 and 168.400, RSMo Supp. 2006 and 168.011, 168.405 and 168.409, RSMo 2000, the board amends a rule as follows:

**5 CSR 80-800.380** Required Assessments for Professional Education Certification in Missouri **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2007 (32 MoReg 762–763). No changes have been made in the text of the

proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE**
**Division 10—Director of Revenue**
**Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 301.002, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.170** Registration of Corporation Motor Vehicles/Emission System Inspection Areas **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1031). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE**
**Division 10—Director of Revenue**
**Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.220** Motor Vehicle Fee and Tax Refund Requests **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1031). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE**
**Division 10—Director of Revenue**
**Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 32.125, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.285** Titling of Motor Vehicles Sold Without Safety Inspections **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1031). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE**
**Division 10—Director of Revenue**
**Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 301.025, RSMo Supp. 2006, the director amends a rule as follows:

**12 CSR 10-23.295** Witnessing Proof of Federal Heavy Vehicle Use Tax Payment or Exemption **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1031–1033). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE**
**Division 10—Director of Revenue**
**Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.130, RSMo Supp. 2006, and 301.449, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.415** Sample License Plates **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1033). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE**
**Division 10—Director of Revenue**
**Chapter 23—Motor Vehicle**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.003 and 301.449, RSMo 2000, the director rescinds a rule as follows:

**12 CSR 10-23.460** Issuance of Biennial Disabled Person Placard **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 2, 2007 (32 MoReg 1033). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 70—Special Education
## Chapter 742—Special Education

### STATEMENT OF ACTUAL COST

**5 CSR 70-742.140 Individuals with Disabilities Education Act, Part B**

The original estimated cost and fiscal note for the public cost to this rule was published in the *Missouri Register* on September 15, 2005 (30 MoReg 1943–1944). The cost to state agencies and political subdivisions has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was $22,268,000 and at the end of the first full fiscal year, the actual cost to state agencies and political subdivisions was $930,450,751.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.200 Application for Certificate of License to Teach**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1621–1622). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.220 Application for Certificate of License to Teach for Administrators**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1623–1624). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.230 Application for a Student Services Certificate of License to Teach**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1625–1629). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.260 Temporary Authorization Certificate of License to Teach**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1630–1631). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.270 Application for a Career Education Certificate of License to Teach**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1632–1633). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.280 Application for an Adult Education and Literacy Certificate of License to Teach**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1634–1635). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.290 Application for Substitute Certificate of License to Teach**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1636–1637). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.350 Certificate of License to Teach Content Areas**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1638–1639). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 80—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.360 Certificate of License to Teach Classifications**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1640–1641). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
## Division 8—Teacher Quality and Urban Education
## Chapter 800—Educator Certification

### STATEMENT OF ACTUAL COST

**5 CSR 80-800.380 Required Assessments for Professional Education Certification in Missouri**

The original estimated cost and fiscal note for the private cost to this rule was published in the *Missouri Register* on August 1, 2005 (30 MoReg 1642–1643). The cost to private entities has exceeded the cost estimate by more than ten percent (10%). Therefore, pursuant to section 536.200.2, RSMo 2000, it is necessary to publish the cost estimate together with the actual cost of the first full fiscal year. The estimated cost was one thousand seven hundred fifty dollars ($1,750) and at the end of the first full fiscal year, the actual cost to private entities was three hundred eight thousand dollars ($308,000).

The original cost estimate was based upon the assumption of a gradual shift by certificate holders from renewable certificates (PC I, PC II, and CPC) to the Career Continuous Professional Certificate (CCPC), with certificate holders applying for the CCPC close to the expiration date of the renewable certificate. Instead, certificate holders have immediately made application for the CCPC. Based upon this history, the department has increased the estimate of application to one thousand (1,000) upgrade requests annually.

Further, this estimate is based upon the assumption that of the approximately four thousand (4,000) new licenses each year, twenty-five percent (25%) do not enter teaching and fifty percent (50%) leave the profession within four (4) years, leaving approximately one thousand (1,000) eligible for upgrade at the end of each year.

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

**Notice of Winding Up of Limited Liability Company**
**To All Creditors of and**
**Claimants Against**
**UNITED MOTORS, L.L.C.**

On August 27, 2007, UNITED MOTORS, L.L.C., a Missouri limited liability company, filed its Articles of Termination and Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective on August 27, 2007.

Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

UNITED MOTORS, L.L.C.
Attn: Richard W. May and Karyn May
Address: 10700 Kahlmeyer
St. Louis, MO 63132

With a copy to: Sandberg, Phoenix & von Gontard P.C.
Attn: Anthony J. Soukenik, Esq.
One City Centre, 15th Floor
St. Louis, MO 63101
(314) 231-3332

All claims must include the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

NOTICE: Because of the notice of winding up of UNITED MOTORS, L.L.C., any claims against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the notices authorized by statute, whichever is published last.

**NOTICE OF CORPORATE DISSOLUTION**
**TO ALL CREDITORS OF AND**
**CLAIMANTS AGAINST**
**INSURANCE CONCEPTS, INC.**

On September 10, 2007, Insurance Concepts, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective September 10, 2007.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at:

Insurance Concepts, Inc.
c/o Swanson Midgley, LLC
2420 Pershing Road, Suite 400
Kansas City, MO 64108-2505.

Each claim must include the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred; and whether or not the claim was secured and, if so, the collateral used as security.

Because of the dissolution of said corporation, any claim against it will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of this notice.

**NOTICE OF WINDING UP OF LIMITED PARTNERSHIP**
**TO ALL CREDITORS OF AND CLAIMANTS AGAINST**
**FERGUSON FAMILY REGISTERED L.L.L.P.**
**PURSUANT TO R.S.Mo. § 359-481**

FERGUSON FAMILY REGISTERED L.L.L.P., a Missouri limited liability limited partnership, filed its Certificate of Cancellation with the Missouri Secretary of State on August 29, 2007, effective on the filing date.

All persons and organizations with claims against said corporation must submit in writing to FERGUSON FAMILY REGISTERED L.L.L.P., c/o Frank C. Carnahan, Esq., Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804-4043, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against FERGUSON FAMILY REGISTERED L.L.L.P. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after this notice.

## NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST MKT INVESTMENTS, LLC

On August 22, 2007, MKT INVESTMENTS, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

# Rule Changes Since Update to Code of State Regulations

October 15, 2007
Vol. 32, No. 20

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|---|---|---|---|---|---|
| | **OFFICE OF ADMINISTRATION** | | | | |
| 1 CSR 10 | State Officials' Salary Compensation Schedule | | | | 30 MoReg 2435 |
| 1 CSR 10-8.010 | Commissioner of Administration | | 32 MoReg 970 | 32 MoReg 1967 | |
| 1 CSR 15-3.350 | Administrative Hearing Commission | | 32 MoReg 1025 | This Issue | |
| 1 CSR 50-1.010 | Missouri Ethics Commission | | 32 MoReg 1906 | | |
| 1 CSR 50-2.015 | Missouri Ethics Commission | | 32 MoReg 1906 | | |
| 1 CSR 50-2.020 | Missouri Ethics Commission | | 32 MoReg 1907 | | |
| 1 CSR 50-2.060 | Missouri Ethics Commission | | 32 MoReg 1907 | | |
| 1 CSR 50-2.070 | Missouri Ethics Commission | | 32 MoReg 1907 | | |
| 1 CSR 50-2.080 | Missouri Ethics Commission | | 32 MoReg 1908 | | |
| 1 CSR 50-2.090 | Missouri Ethics Commission | | 32 MoReg 1908 | | |
| 1 CSR 50-2.150 | Missouri Ethics Commission | | 32 MoReg 1908 | | |
| | **DEPARTMENT OF AGRICULTURE** | | | | |
| 2 CSR 30-2.040 | Animal Health | | 32 MoReg 971 | | |
| 2 CSR 80-5.010 | State Milk Board | | 32 MoReg 1093 | | |
| 2 CSR 90-30.085 | Weights and Measures | | 32 MoReg 1027 | | |
| 2 CSR 110-2.010 | Office of the Director | | 32 MoReg 1909 | | |
| 2 CSR 110-3.010 | Office of the Director | | 32 MoReg 1170 | | |
| | **DEPARTMENT OF CONSERVATION** | | | | |
| 3 CSR 10-6.415 | Conservation Commission | | 32 MoReg 1547 | | |
| 3 CSR 10-7.431 | Conservation Commission | | 32 MoReg 1547 | | |
| 3 CSR 10-7.438 | Conservation Commission | | 32 MoReg 1548 | | |
| 3 CSR 10-7.440 | Conservation Commission | | N.A. | 32 MoReg 1849 | |
| 3 CSR 10-7.455 | Conservation Commission | | | | 32 MoReg 261 |
| 3 CSR 10-9.110 | Conservation Commission | | 32 MoReg 1548 | | |
| 3 CSR 10-9.442 | Conservation Commission | | N.A. | 32 MoReg 1850 | |
| 3 CSR 10-12.115 | Conservation Commission | | 32 MoReg 1549 | | |
| 3 CSR 10-12.130 | Conservation Commission | | 32 MoReg 1549 | | |
| 3 CSR 10-12.135 | Conservation Commission | | N.A. | 32 MoReg 1850 | |
| 3 CSR 10-12.140 | Conservation Commission | | N.A. | 32 MoReg 1851 | |
| 3 CSR 10-12.145 | Conservation Commission | | 32 MoReg 1549 | | |
| | **DEPARTMENT OF ECONOMIC DEVELOPMENT** | | | | |
| 4 CSR 240-3.570 | Public Service Commission | | 32 MoReg 1910 | | |
| 4 CSR 240-23.020 | Public Service Commission | | 32 MoReg 1096 | | |
| 4 CSR 240-23.030 | Public Service Commission | | 32 MoReg 1104 | | |
| 4 CSR 265-2.060 | Division of Motor Carrier and Railroad Safety *(Moving to 7 CSR 265-10.015)* | This Issue | This Issue | | |
| 4 CSR 265-6.020 | Division of Motor Carrier and Railroad Safety | This IssueR | This IssueR | | |
| | **DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION** | | | | |
| 5 CSR 50-500.010 | Division of School Improvement | | This Issue | | |
| 5 CSR 70-742.140 | Special Education | | | | This Issue |
| 5 CSR 80-800.200 | Teacher Quality and Urban Education | | 32 MoReg 759 | This Issue | This Issue |
| 5 CSR 80-800.220 | Teacher Quality and Urban Education | | 32 MoReg 759 | This Issue | This Issue |
| 5 CSR 80-800.230 | Teacher Quality and Urban Education | | 32 MoReg 760 | This Issue | This Issue |
| 5 CSR 80-800.260 | Teacher Quality and Urban Education | | 32 MoReg 760 | This Issue | This Issue |
| 5 CSR 80-800.270 | Teacher Quality and Urban Education | | 32 MoReg 761 | This Issue | This Issue |
| 5 CSR 80-800.280 | Teacher Quality and Urban Education | | 32 MoReg 761 | This Issue | This Issue |
| 5 CSR 80-800.290 | Teacher Quality and Urban Education | | | | This Issue |
| 5 CSR 80-800.350 | Teacher Quality and Urban Education | | 32 MoReg 761 | This Issue | This Issue |
| 5 CSR 80-800.360 | Teacher Quality and Urban Education | | 32 MoReg 762 | This Issue | This Issue |
| 5 CSR 80-800.380 | Teacher Quality and Urban Education | | 32 MoReg 762 | This Issue | This Issue |
| | **DEPARTMENT OF HIGHER EDUCATION** | | | | |
| 6 CSR 10-2.140 | Commissioner of Higher Education | 32 MoReg 1891 | | | |
| 6 CSR 10-2.150 | Commissioner of Higher Education | 32 MoReg 1893 | | | |
| | **DEPARTMENT OF TRANSPORTATION** | | | | |
| 7 CSR 10-25.010 | Missouri Highways and Transportation Commission | | | | 32 MoReg 1858 |

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|---|---|---|---|---|---|
| 7 CSR 10-25.030 | Missouri Highways and Transportation Commission | | 32 MoReg 1550 | | |
| 7 CSR 10-25.050 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-2.010)* | | 32 MoReg 1575 | | |
| 7 CSR 10-25.060 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-6.010)* | | 32 MoReg 1577 | | |
| 7 CSR 10-25.070 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-7.010)* | | 32 MoReg 1578 | | |
| 7 CSR 10-25.071 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-7.020)* | | 32 MoReg 1579 | | |
| 7 CSR 10-25.072 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-7.030)* | | 32 MoReg 1580 | | |
| 7 CSR 10-25.073 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-7.040)* | | 32 MoReg 1582 | | |
| 7 CSR 10-25.080 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-5.010)* | | 32 MoReg 1576 | | |
| 7 CSR 10-25.090 | Missouri Highways and Transportation Commission *(Changed from 12 CSR 20-7.060)* | | 32 MoReg 1583 | | |
| 7 CSR 265-10.015 | Motor Carrier and Railroad Safety *(Moved from 4 CSR 265-2.060)* | This Issue | This Issue | | |
| 7 CSR 265-10.050 | Motor Carrier and Railroad Safety | This Issue | This Issue | | |
| 7 CSR 265-10.080 | Motor Carrier and Railroad Safety | This Issue | This Issue | | |
| 7 CSR 265-10.120 | Motor Carrier and Railroad Safety | This Issue | This Issue | | |
| | **DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS** | | | | |
| 8 CSR 10-6.010 | Division of Employment Security | | This Issue | | |
| 8 CSR 30-5.010 | Division of Labor Standards | 32 MoReg 1463 | 32 MoReg 1466 | | |
| 8 CSR 30-5.020 | Division of Labor Standards | 32 MoReg 1464 | 32 MoReg 1468 | | |
| 8 CSR 30-5.030 | Division of Labor Standards | 32 MoReg 1465 | 32 MoReg 1472 | | |
| | **DEPARTMENT OF NATURAL RESOURCES** | | | | |
| 10 CSR 10-2.100 | Air Conservation Commission | | 32 MoReg 1115R | | |
| 10 CSR 10-2.210 | Air Conservation Commission | | 32 MoReg 1175 | | |
| 10 CSR 10-3.030 | Air Conservation Commission | | 32 MoReg 1115R | | |
| 10 CSR 10-4.090 | Air Conservation Commission | | 32 MoReg 1115R | | |
| 10 CSR 10-5.070 | Air Conservation Commission | | 32 MoReg 1116R | | |
| 10 CSR 10-6.045 | Air Conservation Commission | | 32 MoReg 1116 | | |
| 10 CSR 10-6.110 | Air Conservation Commission | | 32 MoReg 976 | | |
| 10 CSR 10-6.241 | Air Conservation Commission | | 32 MoReg 1118 | | |
| 10 CSR 10-6.250 | Air Conservation Commission | | 32 MoReg 1119 | | |
| 10 CSR 10-6.260 | Air Conservation Commission | | 32 MoReg 1180 | | |
| 10 CSR 20-4.023 | Clean Water Commission | 32 MoReg 395 | 32 MoReg 633 | 32 MoReg 1852 | |
| 10 CSR 20-4.030 | Clean Water Commission | 32 MoReg 396 | 32 MoReg 636 | 32 MoReg 1852 | |
| 10 CSR 20-4.061 | Clean Water Commission | 32 MoReg 396 | 32 MoReg 638 | 32 MoReg 1853 | |
| 10 CSR 25-2.020 | Hazardous Waste Management Commission | | 32 MoReg 640 | | |
| 10 CSR 60-13.010 | Public Drinking Water Program | 32 MoReg 398 | 32 MoReg 641 | 32 MoReg 1853 | |
| 10 CSR 80-9.010 | Solid Waste Management | | 32 MoReg 323R | 32 MoReg 1480R | |
| 10 CSR 80-9.050 | Solid Waste Management | | 32 MoReg 323 | 32 MoReg 1480 | 32 MoReg 1859 |
| 10 CSR 140-6.010 | Division of Energy | | 32 MoReg 696 | 32 MoReg 1495 | |
| | **DEPARTMENT OF PUBLIC SAFETY** | | | | |
| 11 CSR 10-3.015 | Adjutant General | | 32 MoReg 1182 | | |
| 11 CSR 40-5.110 | Division of Fire Safety | | 32 MoReg 841 | 32 MoReg 1967 | |
| 11 CSR 45-1.090 | Missouri Gaming Commission | | 32 MoReg 579 | 32 MoReg 1495 | |
| 11 CSR 45-5.051 | Missouri Gaming Commission | | 32 MoReg 581 | 32 MoReg 1496 | |
| 11 CSR 45-5.183 | Missouri Gaming Commission | | 32 MoReg 581 | 32 MoReg 1496 | |
| 11 CSR 45-5.184 | Missouri Gaming Commission | | 32 MoReg 582 | 32 MoReg 1496 | |
| 11 CSR 45-5.185 | Missouri Gaming Commission | | 32 MoReg 585 | 32 MoReg 1499 | |
| 11 CSR 45-5.265 | Missouri Gaming Commission | | 32 MoReg 587 | 32 MoReg 1501 | |
| 11 CSR 45-8.130 | Missouri Gaming Commission | | 32 MoReg 590 | 32 MoReg 1502 | |
| 11 CSR 45-9.030 | Missouri Gaming Commission | | 32 MoReg 591 | 32 MoReg 1503 | |
| 11 CSR 50-2.400 | Missouri State Highway Patrol | | 32 MoReg 1122R | | |
| | **DEPARTMENT OF REVENUE** | | | | |
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| 12 CSR 10-3.466 | Director of Revenue | | 32 MoReg 1556R | | |
| 12 CSR 10-3.468 | Director of Revenue | | 32 MoReg 1556R | | |
| 12 CSR 10-6.100 | Director of Revenue | 32 MoReg 1535 | 32 MoReg 1556 | | |

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| 12 CSR 10-22.010 | Director of Revenue | | 32 MoReg 1559R | | |
| 12 CSR 10-22.020 | Director of Revenue | | 32 MoReg 1559R | | |
| 12 CSR 10-23.170 | Director of Revenue | | 32 MoReg 1031R | This IssueR | |
| 12 CSR 10-23.220 | Director of Revenue | | 32 MoReg 1031R | This IssueR | |
| 12 CSR 10-23.285 | Director of Revenue | | 32 MoReg 1031R | This IssueR | |
| 12 CSR 10-23.295 | Director of Revenue | | 32 MoReg 1031 | This Issue | |
| 12 CSR 10-23.365 | Director of Revenue | 32 MoReg 1536R | 32 MoReg 1559R | | |
| 12 CSR 10-23.415 | Director of Revenue | | 32 MoReg 1033R | This IssueR | |
| 12 CSR 10-23.460 | Director of Revenue | | 32 MoReg 1033R | This IssueR | |
| 12 CSR 10-24.444 | Director of Revenue | | 32 MoReg 1559 | | |
| 12 CSR 10-26.200 | Director of Revenue | | 32 MoReg 1560 | | |
| 12 CSR 10-103.380 | Director of Revenue | 32 MoReg 1536 | 32 MoReg 1560 | | |
| 12 CSR 10-103.381 | Director of Revenue | 32 MoReg 1537 | 32 MoReg 1561 | | |
| 12 CSR 10-103.400 | Director of Revenue | 32 MoReg 1537 | 32 MoReg 1561 | | |
| 12 CSR 10-103.555 | Director of Revenue | 32 MoReg 1537 | 32 MoReg 1562 | | |
| 12 CSR 10-108.100 | Director of Revenue | | 32 MoReg 1563 | | |
| 12 CSR 10-110.200 | Director of Revenue | 32 MoReg 1539 | 32 MoReg 1567 | | |
| 12 CSR 10-110.201 | Director of Revenue | 32 MoReg 1539 | 32 MoReg 1567 | | |
| 12 CSR 10-110.210 | Director of Revenue | 32 MoReg 1540 | 32 MoReg 1568 | | |
| 12 CSR 10-110.300 | Director of Revenue | 32 MoReg 1540 | 32 MoReg 1568 | | |
| 12 CSR 10-110-600 | Director of Revenue | 32 MoReg 1541 | 32 MoReg 1569 | | |
| 12 CSR 10-110.601 | Director of Revenue | 32 MoReg 1542 | 32 MoReg 1570 | | |
| 12 CSR 10-111.010 | Director of Revenue | | 32 MoReg 1571 | | |
| 12 CSR 10-111.011 | Director of Revenue | 32 MoReg 1543 | 32 MoReg 1571 | | |
| 12 CSR 10-111.061 | Director of Revenue | 32 MoReg 1544 | 32 MoReg 1572 | | |
| 12 CSR 10-111.100 | Director of Revenue | 32 MoReg 1545 | 32 MoReg 1573 | | |
| 12 CSR 10-111.101 | Director of Revenue | 32 MoReg 1545 | 32 MoReg 1573 | | |
| 12 CSR 10-112.010 | Director of Revenue | 32 MoReg 1546 | 32 MoReg 1574 | | |
| 12 CSR 10-400.250 | Director of Revenue | | 32 MoReg 1574 | | |
| 12 CSR 20-1.010 | Director of Revenue | | 32 MoReg 1575R | | |
| 12 CSR 20-2.010 | Director of Revenue<br>*(Changed to 7 CSR 10-25.050)* | | 32 MoReg 1575 | | |
| 12 CSR 20-4.010 | Director of Revenue | | 32 MoReg 1576R | | |
| 12 CSR 20-5.010 | Director of Revenue<br>*(Changed to 7 CSR 10-25.080)* | | 32 MoReg 1576 | | |
| 12 CSR 20-6.010 | Director of Revenue<br>*Changed to 7 CSR 10-25.060)* | | 32 MoReg 1577 | | |
| 12 CSR 20-7.010 | Director of Revenue<br>*Changed to 7 CSR 10-25.070)* | | 32 MoReg 1578 | | |
| 12 CSR 20-7.020 | Director of Revenue<br>*Changed to 7 CSR 10-25.071)* | | 32 MoReg 1579 | | |
| 12 CSR 20-7.030 | Director of Revenue<br>*Changed to 7 CSR 10-25.072)* | | 32 MoReg 1580 | | |
| 12 CSR 20-7.040 | Director of Revenue<br>*Changed to 7 CSR 10-25.073)* | | 32 MoReg 1582 | | |
| 12 CSR 20-7.050 | Director of Revenue | | 32 MoReg 1582R | | |
| 12 CSR 20-7.060 | Director of Revenue<br>*Changed to 7 CSR 10-25.090)* | | 32 MoReg 1583 | | |
| | **DEPARTMENT OF SOCIAL SERVICES** | | | | |
| 13 CSR 35-32.010 | Children's Division | | 32 MoReg 1122 | | |
| 13 CSR 40-2.370 | Family Support Division | | 32 MoReg 1033 | | |
| 13 CSR 40-32.010 | Family Support Division | 32 MoReg 693 | 32 MoReg 1123R | | |
| 13 CSR 40-110.030 | Family Support Division | | 32 MoReg 1912 | | |
| 13 CSR 70-3.020 | Division of Medical Services | | 32 MoReg 697 | 32 MoReg 1505 | |
| 13 CSR 70-3.030 | Division of Medical Services | | 32 MoReg 1914 | | |
| 13 CSR 70-3.170 | Division of Medical Services | 32 MoReg 1167 | 32 MoReg 1183 | | |
| 13 CSR 70-4.080 | Division of Medical Services | | This Issue | | |
| 13 CSR 70-6.010 | Division of Medical Services | | 32 MoReg 1918 | | |
| 13 CSR 70-10.015 | Division of Medical Services | This Issue | 32 MoReg 700 | 32 MoReg 1967 | |
| 13 CSR 70-10.030 | Division of Medical Services | 32 MoReg 1168 | 32 MoReg 1186 | | |
| 13 CSR 70-10.060 | Division of Medical Services | | 32 MoReg 1583 | | |
| 13 CSR 70-10.080 | Division of Medical Services | This Issue | 32 MoReg 716 | 32 MoReg 1974 | |
| 13 CSR 70-15.030 | Division of Medical Services | | 32 MoReg 1396 | | |
| 13 CSR 70-15.110 | Division of Medical Services | 32 MoReg 1169 | 32 MoReg 1189 | | |
| 13 CSR 70-15.180 | Division of Medical Services | 32 MoReg 1087 | | | |
| | **DEPARTMENT OF CORRECTIONS** | | | | |
| 14 CSR 80-1.010 | State Board of Probation and Parole | | This Issue | | |
| 14 CSR 80-2.010 | State Board of Probation and Parole | | This IssueR<br>This Issue | | |
| 14 CSR 80-2.020 | State Board of Probation and Parole | | This IssueR<br>This Issue | | |
| 14 CSR 80-2.030 | State Board of Probation and Parole | | This IssueR<br>This Issue | | |
| 14 CSR 80-2.040 | State Board of Probation and Parole | | This IssueR | | |

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|---|---|---|---|---|---|
| 14 CSR 80-2.050 | State Board of Probation and Parole | | This IssueR | | |
| | **ELECTED OFFICIALS** | | | | |
| 15 CSR 30-52.030 | Secretary of State | | 32 MoReg 1123 | | |
| 15 CSR 30-70.010 | Secretary of State | 32 MoReg 1894 | 32 MoReg 1920 | | |
| 15 CSR 30-70.020 | Secretary of State | 32 MoReg 1895 | 32 MoReg 1921 | | |
| 15 CSR 30-70.030 | Secretary of State | 32 MoReg 1896 | 32 MoReg 1922 | | |
| 15 CSR 30-70.040 | Secretary of State | 32 MoReg 1897 | 32 MoReg 1922 | | |
| 15 CSR 30-70.050 | Secretary of State | 32 MoReg 1897 | 32 MoReg 1923 | | |
| 15 CSR 30-70.060 | Secretary of State | 32 MoReg 1898 | 32 MoReg 1923 | | |
| 15 CSR 30-70.070 | Secretary of State | 32 MoReg 1898 | 32 MoReg 1924 | | |
| 15 CSR 30-70.080 | Secretary of State | 32 MoReg 1899 | 32 MoReg 1924 | | |
| 15 CSR 30-70.090 | Secretary of State | 32 MoReg 1900 | 32 MoReg 1925 | | |
| | **RETIREMENT SYSTEMS** | | | | |
| 16 CSR 50-2.010 | The County Employees' Retirement Fund | | This Issue | | |
| 16 CSR 50-2.090 | The County Employees' Retirement Fund | | This Issue | | |
| 16 CSR 50-2.120 | The County Employees' Retirement Fund | | This Issue | | |
| 16 CSR 50-10.030 | The County Employees' Retirement Fund | | This Issue | | |
| | **BOARDS OF POLICE COMMISSIONERS** | | | | |
| 17 CSR 20-2.025 | St. Louis Board of Police Commissioners | | 32 MoReg 1472 | | |
| 17 CSR 20-2.035 | St. Louis Board of Police Commissioners | | 32 MoReg 1473 | | |
| 17 CSR 20-2.075 | St. Louis Board of Police Commissioners | | 32 MoReg 1473 | | |
| 17 CSR 20-2.085 | St. Louis Board of Police Commissioners | | 32 MoReg 1474 | | |
| 17 CSR 20-2.105 | St. Louis Board of Police Commissioners | | 32 MoReg 1474 | | |
| 17 CSR 20-2.125 | St. Louis Board of Police Commissioners | | 32 MoReg 1475 | | |
| 17 CSR 20-2.135 | St. Louis Board of Police Commissioners | | 32 MoReg 1476 | | |
| | **DEPARTMENT OF HEALTH AND SENIOR SERVICES** | | | | |
| 19 CSR 20-20.010 | Division of Community and Public Health | 32 MoReg 1087 | 32 MoReg 1124 | | |
| 19 CSR 20-20.050 | Division of Community and Public Health | 32 MoReg 1089 | 32 MoReg 1125 | | |
| 19 CSR 25-36.010 | Division of Administration | | 32 MoReg 1125 | | |
| 19 CSR 30-20.021 | Division of Regulation and Licensure | | 32 MoReg 1191R | | 32 MoReg 1427 |
| 19 CSR 30-20.080 | Division of Regulation and Licensure | | 32 MoReg 1191 | | |
| 19 CSR 30-20.082 | Division of Regulation and Licensure | | 32 MoReg 1197 | | |
| 19 CSR 30-20.084 | Division of Regulation and Licensure | | 32 MoReg 1202 | | |
| 19 CSR 30-20.086 | Division of Regulation and Licensure | | 32 MoReg 1202 | | |
| 19 CSR 30-20.088 | Division of Regulation and Licensure | | 32 MoReg 1208 | | |
| 19 CSR 30-20.090 | Division of Regulation and Licensure | | 32 MoReg 1213 | | |
| 19 CSR 30-20.092 | Division of Regulation and Licensure | | 32 MoReg 1218 | | |
| 19 CSR 30-20.094 | Division of Regulation and Licensure | | 32 MoReg 1224 | | |
| 19 CSR 30-20.096 | Division of Regulation and Licensure | | 32 MoReg 1230 | | |
| 19 CSR 30-20.098 | Division of Regulation and Licensure | | 32 MoReg 1236 | | |
| 19 CSR 30-20.100 | Division of Regulation and Licensure | | 32 MoReg 1242 | | |
| 19 CSR 30-20.102 | Division of Regulation and Licensure | | 32 MoReg 1249 | | |
| 19 CSR 30-20.104 | Division of Regulation and Licensure | | 32 MoReg 1254 | | |
| 19 CSR 30-20.106 | Division of Regulation and Licensure | | 32 MoReg 1259 | | |
| 19 CSR 30-20.108 | Division of Regulation and Licensure | | 32 MoReg 1259 | | |
| 19 CSR 30-20.110 | Division of Regulation and Licensure | | 32 MoReg 1264 | | |
| 19 CSR 30-20.112 | Division of Regulation and Licensure | | 32 MoReg 1270 | | |
| 19 CSR 30-20.114 | Division of Regulation and Licensure | | 32 MoReg 1275 | | |
| 19 CSR 30-20.116 | Division of Regulation and Licensure | | 32 MoReg 1282 | | |
| 19 CSR 30-20.118 | Division of Regulation and Licensure | | 32 MoReg 1288 | | |
| 19 CSR 30-20.120 | Division of Regulation and Licensure | | 32 MoReg 1291 | | |
| 19 CSR 30-20.122 | Division of Regulation and Licensure | | 32 MoReg 1294 | | |
| 19 CSR 30-20.124 | Division of Regulation and Licensure | | 32 MoReg 1297 | | |
| 19 CSR 30-20.126 | Division of Regulation and Licensure | | 32 MoReg 1300 | | |
| 19 CSR 30-20.128 | Division of Regulation and Licensure | | 32 MoReg 1303 | | |
| 19 CSR 30-20.130 | Division of Regulation and Licensure | | 32 MoReg 1306 | | |
| 19 CSR 30-20.132 | Division of Regulation and Licensure | | 32 MoReg 1309 | | |
| 19 CSR 30-20.134 | Division of Regulation and Licensure | | 32 MoReg 1312 | | |
| 19 CSR 30-20.136 | Division of Regulation and Licensure | | 32 MoReg 1315 | | |
| 19 CSR 30-20.138 | Division of Regulation and Licensure | | 32 MoReg 1318 | | |
| 19 CSR 30-20.140 | Division of Regulation and Licensure | | 32 MoReg 1321 | | |
| 19 CSR 30-20.142 | Division of Regulation and Licensure | | 32 MoReg 1324 | | |
| 19 CSR 30-35.010 | Division of Regulation and Licensure | | This Issue | | |
| 19 CSR 30-35.020 | Division of Regulation and Licensure | | This Issue | | |
| 19 CSR 40-7.040 | Division of Maternal, Child and Family Health | This Issue | | | |
| 19 CSR 40-7.050 | Division of Maternal, Child and Family Health | This Issue | | | |
| 19 CSR 40-7.060 | Division of Maternal, Child and Family Health | This Issue | | | |
| 19 CSR 40-10.010 | Division of Maternal, Child and Family Health | This Issue | | | |
| 19 CSR 60-50 | Missouri Health Facilities Review Committee | | | | 32 MoReg 1507<br>32 MoReg 1977 |

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| | **DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION** | | | | |
| 20 CSR | Construction Claims Binding Arbitration Cap | | | | 32 MoReg 667 |
| 20 CSR | Medical Malpractice | | | | 30 MoReg 481<br>31 MoReg 616<br>32 MoReg 545 |
| 20 CSR | Sovereign Immunity Limits | | | | 30 MoReg 108<br>30 MoReg 2587<br>31 MoReg 2019 |
| 20 CSR | State Legal Expense Fund Cap | | | | 32 MoReg 668 |
| 20 CSR 500-5.020 | Property and Casualty | | 32 MoReg 1397 | | |
| 20 CSR 500-5.025 | Property and Casualty | | 32 MoReg 1407 | | |
| 20 CSR 500-5.026 | Property and Casualty | | 32 MoReg 1407 | | |
| 20 CSR 500-5.027 | Property and Casualty | | 32 MoReg 1408 | | |
| 20 CSR 600-1.030 | Statistical Reporting | 32 MoReg 1023 | 32 MoReg 1034 | | |
| 20 CSR 700-4.100 | Licensing | | 32 MoReg 718 | 32 MoReg 1506 | |
| 20 CSR 700-6.350 | Licensing | | 31 MoReg 931 | | |
| 20 CSR 800-1.010 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.020 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.030 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.040 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.050 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.060 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.070 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.080 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.090 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.100 | General Counsel | | This Issue | | |
| 20 CSR 800-1.110 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.120 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.130 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-1.140 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-2.010 | General Counsel | | This Issue | | |
| 20 CSR 800-3.010 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-3.020 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 800-3.040 | Administrative Procedures under the Insurance Laws | | This Issue | | |
| 20 CSR 2030-2.040 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1129 | | |
| 20 CSR 2030-2.050 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1129 | | |
| 20 CSR 2030-4.050 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1129 | | |
| 20 CSR 2030-4.070 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1130 | | |
| 20 CSR 2030-5.110 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1131 | | |
| 20 CSR 2030-8.020 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1131 | | |
| 20 CSR 2030-10.010 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1131 | | |
| 20 CSR 2030-11.020 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1132 | | |
| 20 CSR 2030-11.030 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1132 | | |
| 20 CSR 2030-16.050 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1133 | | |
| 20 CSR 2030-16.100 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1133 | | |
| 20 CSR 2030-17.050 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1134 | | |
| 20 CSR 2030-17.070 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1134 | | |
| 20 CSR 2030-18.070 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects | | 32 MoReg 1134 | | |
| 20 CSR 2040-8.010 | Office of Athletics | | 32 MoReg 763 | 32 MoReg 1853 | |
| 20 CSR 2040-8.020 | Office of Athletics | | 32 MoReg 764 | 32 MoReg 1854 | |
| 20 CSR 2040-8.030 | Office of Athletics | | 32 MoReg 770 | 32 MoReg 1854 | |
| 20 CSR 2040-8.040 | Office of Athletics | | 32 MoReg 774 | 32 MoReg 1854 | |
| 20 CSR 2040-8.050 | Office of Athletics | | 32 MoReg 778 | 32 MoReg 1854 | |
| 20 CSR 2040-8.060 | Office of Athletics | | 32 MoReg 779 | 32 MoReg 1854 | |
| 20 CSR 2040-8.070 | Office of Athletics | | 32 MoReg 783 | 32 MoReg 1855 | |
| 20 CSR 2040-8.080 | Office of Athletics | | 32 MoReg 783 | 32 MoReg 1855 | |
| 20 CSR 2040-8.090 | Office of Athletics | | 32 MoReg 786 | 32 MoReg 1855 | |
| 20 CSR 2040-8.100 | Office of Athletics | | 32 MoReg 786 | 32 MoReg 1855 | |
| 20 CSR 2040-8.110 | Office of Athletics | | 32 MoReg 789 | 32 MoReg 1855 | |
| 20 CSR 2040-8.120 | Office of Athletics | | 32 MoReg 790 | 32 MoReg 1855 | |
| 20 CSR 2040-8.130 | Office of Athletics | | 32 MoReg 792 | 32 MoReg 1856 | |
| 20 CSR 2040-8.140 | Office of Athletics | | 32 MoReg 794 | 32 MoReg 1856 | |
| 20 CSR 2040-8.150 | Office of Athletics | | 32 MoReg 795 | 32 MoReg 1856 | |
| 20 CSR 2040-8.160 | Office of Athletics | | 32 MoReg 795 | 32 MoReg 1856 | |
| 20 CSR 2040-8.170 | Office of Athletics | | 32 MoReg 798 | 32 MoReg 1856 | |
| 20 CSR 2040-8.180 | Office of Athletics | | 32 MoReg 798 | 32 MoReg 1856 | |

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| 20 CSR 2040-8.190 | Office of Athletics | | 32 MoReg 799 | 32 MoReg 1857 | |
| 20 CSR 2045-1.010 | Athlete Agents | | 32 MoReg 1926 | | |
| 20 CSR 2060-1.010 | State Board of Barber Examiners | | 32 MoReg 1586R | | |
| 20 CSR 2060-1.015 | State Board of Barber Examiners | | 32 MoReg 1586R | | |
| 20 CSR 2060-1.025 | State Board of Barber Examiners | | 32 MoReg 1324R | | |
| 20 CSR 2060-1.030 | State Board of Barber Examiners | | 32 MoReg 1586R | | |
| 20 CSR 2060-1.040 | State Board of Barber Examiners | | 32 MoReg 1587R | | |
| 20 CSR 2060-2.015 | State Board of Barber Examiners | | 32 MoReg 1587R | | |
| 20 CSR 2060-2.020 | State Board of Barber Examiners | | 32 MoReg 1587R | | |
| 20 CSR 2060-2.030 | State Board of Barber Examiners | | 32 MoReg 1587R | | |
| 20 CSR 2060-2.040 | State Board of Barber Examiners | | 32 MoReg 1588R | | |
| 20 CSR 2060-2.050 | State Board of Barber Examiners | | 32 MoReg 1588R | | |
| 20 CSR 2060-3.015 | State Board of Barber Examiners | | 32 MoReg 1588R | | |
| 20 CSR 2060-4.015 | State Board of Barber Examiners | | 32 MoReg 1589R | | |
| 20 CSR 2070-2.032 | State Board of Chiropractic Examiners | | 32 MoReg 1324 | | |
| 20 CSR 2070-2.040 | State Board of Chiropractic Examiners | | 32 MoReg 1325 | | |
| 20 CSR 2070-2.050 | State Board of Chiropractic Examiners | | 32 MoReg 1325 | | |
| 20 CSR 2070-2.060 | State Board of Chiropractic Examiners | | 32 MoReg 1326 | | |
| 20 CSR 2070-2.070 | State Board of Chiropractic Examiners | | 32 MoReg 1326 | | |
| 20 CSR 2070-2.080 | State Board of Chiropractic Examiners | | 32 MoReg 1327R<br>32 MoReg 1327 | | |
| 20 CSR 2070-2.081 | State Board of Chiropractic Examiners | | 32 MoReg 1333 | | |
| 20 CSR 2070-2.090 | State Board of Chiropractic Examiners | | 32 MoReg 1335 | | |
| 20 CSR 2070-3.010 | State Board of Chiropractic Examiners | | 32 MoReg 1338 | | |
| 20 CSR 2070-4.030 | State Board of Chiropractic Examiners | | 32 MoReg 1338 | | |
| 20 CSR 2085-1.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1589 | | |
| 20 CSR 2085-2.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1592 | | |
| 20 CSR 2085-3.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1338 | | |
| 20 CSR 2085-4.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1595 | | |
| 20 CSR 2085-4.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1598 | | |
| 20 CSR 2085-4.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1601 | | |
| 20 CSR 2085-4.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1605 | | |
| 20 CSR 2085-4.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1609 | | |
| 20 CSR 2085-4.060 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1613 | | |
| 20 CSR 2085-5.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1616 | | |
| 20 CSR 2085-5.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1620 | | |
| 20 CSR 2085-5.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1624 | | |
| 20 CSR 2085-5.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1628 | | |
| 20 CSR 2085-5.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1632 | | |
| 20 CSR 2085-6.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1636 | | |
| 20 CSR 2085-7.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1640 | | |
| 20 CSR 2085-7.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1645 | | |
| 20 CSR 2085-7.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1648 | | |
| 20 CSR 2085-7.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1652 | | |
| 20 CSR 2085-7.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1656 | | |
| 20 CSR 2085-8.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1660 | | |
| 20 CSR 2085-8.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1664 | | |
| 20 CSR 2085-8.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1667 | | |
| 20 CSR 2085-8.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1671 | | |
| 20 CSR 2085-8.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1675 | | |
| 20 CSR 2085-8.060 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1678 | | |
| 20 CSR 2085-8.070 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1682 | | |
| 20 CSR 2085-8.080 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1686 | | |
| 20 CSR 2085-9.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1689 | | |
| 20 CSR 2085-9.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1694 | | |
| 20 CSR 2085-9.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1700 | | |
| 20 CSR 2085-10.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1703 | | |
| 20 CSR 2085-10.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1709 | | |
| 20 CSR 2085-10.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1713 | | |
| 20 CSR 2085-10.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1716 | | |
| 20 CSR 2085-10.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1720 | | |
| 20 CSR 2085-10.060 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1724 | | |
| 20 CSR 2085-11.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1733 | | |
| 20 CSR 2085-11.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1738 | | |
| 20 CSR 2085-11.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1743 | | |
| 20 CSR 2085-12.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1747 | | |
| 20 CSR 2085-12.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1755 | | |
| 20 CSR 2085-12.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1760 | | |
| 20 CSR 2085-12.035 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1763 | | |
| 20 CSR 2085-12.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1767 | | |
| 20 CSR 2085-12.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1773 | | |
| 20 CSR 2085-12.060 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1776 | | |
| 20 CSR 2085-12.070 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1780 | | |
| 20 CSR 2085-12.080 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1785 | | |
| 20 CSR 2085-12.090 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1790 | | |
| 20 CSR 2085-13.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1795 | | |
| 20 CSR 2085-13.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1798 | | |

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| 20 CSR 2085-13.030 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1801 | | |
| 20 CSR 2085-13.040 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1804 | | |
| 20 CSR 2085-13.050 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1809 | | |
| 20 CSR 2085-13.060 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1813 | | |
| 20 CSR 2085-13.070 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1818 | | |
| 20 CSR 2085-13.080 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1825 | | |
| 20 CSR 2085-13.090 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1828 | | |
| 20 CSR 2085-13.100 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1831 | | |
| 20 CSR 2085-14.010 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1834 | | |
| 20 CSR 2085-14.020 | Board of Cosmetology and Barber Examiners | | 32 MoReg 1837 | | |
| 20 CSR 2090-1.010 | State Board of Cosmetology | | 32 MoReg 1840R | | |
| 20 CSR 2090-2.010 | State Board of Cosmetology | | 32 MoReg 1840R | | |
| 20 CSR 2090-2.020 | State Board of Cosmetology | | 32 MoReg 1840R | | |
| 20 CSR 2090-2.030 | State Board of Cosmetology | | 32 MoReg 1840R | | |
| 20 CSR 2090-3.010 | State Board of Cosmetology | | 32 MoReg 1841R | | |
| 20 CSR 2090-4.010 | State Board of Cosmetology | | 32 MoReg 1841R | | |
| 20 CSR 2090-4.020 | State Board of Cosmetology | | 32 MoReg 1841R | | |
| 20 CSR 2090-5.010 | State Board of Cosmetology | | 32 MoReg 1842R | | |
| 20 CSR 2090-7.010 | State Board of Cosmetology | | 32 MoReg 1842R | | |
| 20 CSR 2090-8.010 | State Board of Cosmetology | | 32 MoReg 1842R | | |
| 20 CSR 2090-9.010 | State Board of Cosmetology | | 32 MoReg 1842R | | |
| 20 CSR 2090-10.010 | State Board of Cosmetology | | 32 MoReg 1843R | | |
| 20 CSR 2090-11.010 | State Board of Cosmetology | | 32 MoReg 1843R | | |
| 20 CSR 2090-11.020 | State Board of Cosmetology | | 32 MoReg 1843R | | |
| 20 CSR 2090-12.010 | State Board of Cosmetology | | 32 MoReg 1844R | | |
| 20 CSR 2090-12.020 | State Board of Cosmetology | | 32 MoReg 1844R | | |
| 20 CSR 2090-12.040 | State Board of Cosmetology | | 32 MoReg 1844R | | |
| 20 CSR 2090-12.050 | State Board of Cosmetology | | 32 MoReg 1844R | | |
| 20 CSR 2090-12.060 | State Board of Cosmetology | | 32 MoReg 1845R | | |
| 20 CSR 2090-12.070 | State Board of Cosmetology | | 32 MoReg 1845R | | |
| 20 CSR 2090-12.080 | State Board of Cosmetology | | 32 MoReg 1845R | | |
| 20 CSR 2090-12.090 | State Board of Cosmetology | | 32 MoReg 1846R | | |
| 20 CSR 2090-12.100 | State Board of Cosmetology | | 32 MoReg 1846R | | |
| 20 CSR 2090-13.010 | State Board of Cosmetology | | 32 MoReg 1347R | | |
| 20 CSR 2090-13.020 | State Board of Cosmetology | | 32 MoReg 1846R | | |
| 20 CSR 2090-13.030 | State Board of Cosmetology | | 32 MoReg 1846R | | |
| 20 CSR 2090-13.040 | State Board of Cosmetology | | 32 MoReg 1847R | | |
| 20 CSR 2090-13.050 | State Board of Cosmetology | | 32 MoReg 1847R | | |
| 20 CSR 2090-13.060 | State Board of Cosmetology | | 32 MoReg 1847R | | |
| 20 CSR 2090-13.070 | State Board of Cosmetology | | 32 MoReg 1847R | | |
| 20 CSR 2090-14.010 | State Board of Cosmetology | | 32 MoReg 1848R | | |
| 20 CSR 2110-2.070 | Missouri Dental Board | | 32 MoReg 1408 | | |
| 20 CSR 2110-2.071 | Missouri Dental Board | | 32 MoReg 1409 | | |
| 20 CSR 2110-2.130 | Missouri Dental Board | | 32 MoReg 1929 | | |
| 20 CSR 2110-2.161 | Missouri Dental Board | | 32 MoReg 1929R | | |
| 20 CSR 2110-2.162 | Missouri Dental Board | | 32 MoReg 1929R | | |
| 20 CSR 2110-2.190 | Missouri Dental Board | | 32 MoReg 988 | 32 MoReg 1976 | |
| 20 CSR 2110-2.210 | Missouri Dental Board | | 32 MoReg 988 | 32 MoReg 1976 | |
| 20 CSR 2150-2.001 | State Board of Registration for the Healing Arts | | 32 MoReg 1409 | | |
| 20 CSR 2150-3.010 | State Board of Registration for the Healing Arts | | 32 MoReg 1347 | | |
| 20 CSR 2150-3.020 | State Board of Registration for the Healing Arts | | 32 MoReg 1410 | | |
| 20 CSR 2150-3.090 | State Board of Registration for the Healing Arts | | 32 MoReg 1410 | | |
| 20 CSR 2150-4.052 | State Board of Registration for the Healing Arts | | 32 MoReg 1347 | | |
| 20 CSR 2150-4.200 | State Board of Registration for the Healing Arts | | 32 MoReg 1411R | | |
| 20 CSR 2150-4.205 | State Board of Registration for the Healing Arts | | 32 MoReg 1411 | | |
| 20 CSR 2150-6.020 | State Board of Registration for the Healing Arts | | 32 MoReg 1348 | | |
| 20 CSR 2150-6.025 | State Board of Registration for the Healing Arts | | This IssueR | | |
| 20 CSR 2150-9.050 | State Board of Registration for the Healing Arts | | 32 MoReg 1349 | | |
| 20 CSR 2197-1.040 | Board of Therapeutic Massage | | 32 MoReg 1929 | | |
| 20 CSR 2197-2.010 | Board of Therapeutic Massage | | 32 MoReg 1934 | | |
| 20 CSR 2197-2.020 | Board of Therapeutic Massage | | 32 MoReg 1940 | | |
| 20 CSR 2197-2.030 | Board of Therapeutic Massage | | 32 MoReg 1942R<br>32 MoReg 1942 | | |
| 20 CSR 2197-2.040 | Board of Therapeutic Massage | | 32 MoReg 1946R<br>32 MoReg 1946 | | |
| 20 CSR 2197-2.050 | Board of Therapeutic Massage | | 32 MoReg 1950 | | |
| 20 CSR 2197-3.005 | Board of Therapeutic Massage | | 32 MoReg 1950 | | |
| 20 CSR 2197-3.010 | Board of Therapeutic Massage | | 32 MoReg 1950R<br>32 MoReg 1951 | | |
| 20 CSR 2197-4.010 | Board of Therapeutic Massage | | 32 MoReg 1955 | | |
| 20 CSR 2197-4.020 | Board of Therapeutic Massage | | 32 MoReg 1957R | | |
| 20 CSR 2197-5.010 | Board of Therapeutic Massage | | 32 MoReg 1957 | | |
| 20 CSR 2197-5.020 | Board of Therapeutic Massage | | 32 MoReg 1957 | | |
| 20 CSR 2197-5.030 | Board of Therapeutic Massage | | 32 MoReg 1958 | | |
| 20 CSR 2197-5.040 | Board of Therapeutic Massage | | 32 MoReg 1958 | | |
| 20 CSR 2200-2.001 | State Board of Nursing | | 32 MoReg 843R<br>32 MoReg 843 | | |

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| 20 CSR 2200-2.010 | State Board of Nursing | | 32 MoReg 844R<br>32 MoReg 844 | | |
| 20 CSR 2200-2.020 | State Board of Nursing | | 32 MoReg 853R<br>32 MoReg 853 | | |
| 20 CSR 2200-2.030 | State Board of Nursing | | 32 MoReg 853R<br>32 MoReg 854 | | |
| 20 CSR 2200-2.035 | State Board of Nursing | | 32 MoReg 854R<br>32 MoReg 854 | | |
| 20 CSR 2200-2.040 | State Board of Nursing | | 32 MoReg 855R<br>32 MoReg 855 | | |
| 20 CSR 2200-2.050 | State Board of Nursing | | 32 MoReg 859R<br>32 MoReg 859 | | |
| 20 CSR 2200-2.060 | State Board of Nursing | | 32 MoReg 861R<br>32 MoReg 861 | | |
| 20 CSR 2200-2.070 | State Board of Nursing | | 32 MoReg 864R<br>32 MoReg 864 | | |
| 20 CSR 2200-2.080 | State Board of Nursing | | 32 MoReg 866R<br>32 MoReg 866 | | |
| 20 CSR 2200-2.085 | State Board of Nursing | | 32 MoReg 866R<br>32 MoReg 867 | | |
| 20 CSR 2200-2.090 | State Board of Nursing | | 32 MoReg 867R<br>32 MoReg 867 | | |
| 20 CSR 2200-2.100 | State Board of Nursing | | 32 MoReg 868R<br>32 MoReg 868 | | |
| 20 CSR 2200-2.110 | State Board of Nursing | | 32 MoReg 869R<br>32 MoReg 869 | | |
| 20 CSR 2200-2.120 | State Board of Nursing | | 32 MoReg 872R<br>32 MoReg 872 | | |
| 20 CSR 2200-2.130 | State Board of Nursing | | 32 MoReg 872R<br>32 MoReg 873 | | |
| 20 CSR 2200-2.180 | State Board of Nursing | | 32 MoReg 873R<br>32 MoReg 873 | | |
| 20 CSR 2200-3.001 | State Board of Nursing | | 32 MoReg 877R<br>32 MoReg 877 | | |
| 20 CSR 2200-3.010 | State Board of Nursing | | 32 MoReg 878R<br>32 MoReg 878 | | |
| 20 CSR 2200-3.020 | State Board of Nursing | | 32 MoReg 887R<br>32 MoReg 887 | | |
| 20 CSR 2200-3.030 | State Board of Nursing | | 32 MoReg 887R<br>32 MoReg 888 | | |
| 20 CSR 2200-3.035 | State Board of Nursing | | 32 MoReg 888R<br>32 MoReg 888 | | |
| 20 CSR 2200-3.040 | State Board of Nursing | | 32 MoReg 889R<br>32 MoReg 889 | | |
| 20 CSR 2200-3.050 | State Board of Nursing | | 32 MoReg 893R<br>32 MoReg 893 | | |
| 20 CSR 2200-3.060 | State Board of Nursing | | 32 MoReg 895R<br>32 MoReg 895 | | |
| 20 CSR 2200-3.070 | State Board of Nursing | | 32 MoReg 898R<br>32 MoReg 898 | | |
| 20 CSR 2200-3.080 | State Board of Nursing | | 32 MoReg 900R<br>32 MoReg 900 | | |
| 20 CSR 2200-3.085 | State Board of Nursing | | 32 MoReg 900R<br>32 MoReg 901 | | |
| 20 CSR 2200-3.090 | State Board of Nursing | | 32 MoReg 901R<br>32 MoReg 901 | | |
| 20 CSR 2200-3.100 | State Board of Nursing | | 32 MoReg 902R<br>32 MoReg 902 | | |
| 20 CSR 2200-3.110 | State Board of Nursing | | 32 MoReg 903R<br>32 MoReg 903 | | |
| 20 CSR 2200-3.120 | State Board of Nursing | | 32 MoReg 906R<br>32 MoReg 906 | | |
| 20 CSR 2200-3.130 | State Board of Nursing | | 32 MoReg 906R<br>32 MoReg 907 | | |
| 20 CSR 2200-3.180 | State Board of Nursing | | 32 MoReg 907R<br>32 MoReg 907 | | |
| 20 CSR 2200-4.010 | State Board of Nursing | | 32 MoReg 1959 | | |
| 20 CSR 2200-4.020 | State Board of Nursing | | 32 MoReg 988 | 32 MoReg 1976 | |
| 20 CSR 2210-2.030 | State Board of Optometry | | 32 MoReg 1135 | | |
| 20 CSR 2230-1.010 | State Board of Podiatric Medicine | | 32 MoReg 1412 | | |
| 20 CSR 2230-1.020 | State Board of Podiatric Medicine | | 32 MoReg 1412 | | |
| 20 CSR 2230-2.010 | State Board of Podiatric Medicine | | 32 MoReg 1414 | | |
| 20 CSR 2230-2.020 | State Board of Podiatric Medicine | | 32 MoReg 1416R<br>32 MoReg 1416 | | |
| 20 CSR 2230-2.021 | State Board of Podiatric Medicine | | 32 MoReg 1418 | | |
| 20 CSR 2230-2.023 | State Board of Podiatric Medicine | | 32 MoReg 1418 | | |
| 20 CSR 2230-2.050 | State Board of Podiatric Medicine | | 32 MoReg 1422 | | |
| 20 CSR 2230-2.065 | State Board of Podiatric Medicine | | 32 MoReg 1422 | | |

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| 20 CSR 2232-1.040 | Missouri State Committee of Interpreters | | 32 MoReg 1476 | | |
| 20 CSR 2235-1.015 | State Committee of Psychologists | | 32 MoReg 1963 | | |
| 20 CSR 2235-2.040 | State Committee of Psychologists | | 32 MoReg 1963 | | |
| 20 CSR 2245-7.010 | Real Estate Appraisers | | 32 MoReg 1423 | | |
| 20 CSR 2255-4.010 | Missouri Board for Respiratory Care | | 32 MoReg 1349 | | |
| 20 CSR 2263-2.031 | State Committee for Social Workers | | This Issue | | |
| 20 CSR 2270-1.021 | Missouri Veterinary Medical Board | | 32 MoReg 1964 | | |
| 20 CSR 2270-2.021 | Missouri Veterinary Medical Board | | 32 MoReg 992 | 32 MoReg 1976 | |
| 20 CSR 2270-2.031 | Missouri Veterinary Medical Board | | 32 MoReg 992 | 32 MoReg 1976 | |
| 20 CSR 2270-4.011 | Missouri Veterinary Medical Board | | 32 MoReg 993 | 32 MoReg 1976 | |

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| **4 CSR 265-6.020** | Freight Tariffs | This Issue | March 30, 2008 |
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| **6 CSR 10-2.140** | Institutional Eligibility for Student Participation | 32 MoReg 1891 | March 4, 2008 |
| **6 CSR 10-2.150** | Student Eligibility for Application Procedures | 32 MoReg 1893 | March 4, 2008 |
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| **7 CSR 265-10.080** | Rules Governing the Transportation of Household Goods | This Issue | March 30, 2008 |
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| **8 CSR 30-5.030** | Awards by the Arbitrator | 32 MoReg 1465 | February 28, 2008 |
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| **12 CSR 10-6.100** | Motor Fuel Tax Exemption for Operators of Public Mass Transportation Service | 32 MoReg 1535 | February 23, 2008 |
| **12 CSR 10-23.365** | Issuance of Nonresident Salvage-Buyer's Identification Card | 32 MoReg 1536 | February 23, 2008 |
| **12 CSR 10-103.380** | Photographers, Photofinishers and Photoengravers, as Defined in Section 144.030, RSMo | 32 MoReg 1536 | February 23, 2008 |
| **12 CSR 10-103.381** | Items Used or Consumed by Photographers, Photofinishers and Photoengravers, as Defined in Section 144.054, RSMo | 32 MoReg 1537 | February 23, 2008 |
| **12 CSR 10-103.400** | Sales Tax on Vending Machine Sales, as Defined in Section 144.054, RSMo | 32 MoReg 1537 | February 23, 2008 |
| **12 CSR 10-103.555** | Determining Taxable Gross Receipts | 32 MoReg 1537 | February 23, 2008 |
| **12 CSR 10-110.200** | Ingredient or Component Part Exemption, as Defined in Section 144.030, RSMo | 32 MoReg 1539 | February 23, 2008 |
| **12 CSR 10-110.201** | Materials and Other Goods Used or Consumed in Manufacturing, as Defined in Section 144.054, RSMo | 32 MoReg 1539 | February 23, 2008 |
| **12 CSR 10-110.210** | Television and Radio Broadcasters | 32 MoReg 1540 | February 23, 2008 |
| **12 CSR 10-110.300** | Common Carriers | 32 MoReg 1540 | February 23, 2008 |
| **12 CSR 10-110.600** | Electrical Energy, as Defined in Section 144.030, RSMo | 32 MoReg 1541 | February 23, 2008 |
| **12 CSR 10-110.601** | Electrical, Other Energy and Water, as Defined in Section 144.054, RSMo | 32 MoReg 1542 | February 23, 2008 |
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| **12 CSR 10-111.061** | Exempt Items Used or Consumed in Materials Recovery Processing, as Defined in Section 144.054, RSMo | 32 MoReg 1544 | February 23, 2008 |
| **12 CSR 10-111.100** | Commercial Printers, as Defined in Section 144.030, RSMo | 32 MoReg 1545 | February 23, 2008 |
| **12 CSR 10-111.101** | Items Used or Consumed by Commercial Printers, as Defined in Section 144.054, RSMo | 32 MoReg 1545 | February 23, 2008 |
| **12 CSR 10-112.010** | Contractors | 32 MoReg 1546 | February 23, 2008 |
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| **Division of Medical Services** | | | |
| **13 CSR 70-3.170** | Medicaid Managed Care Organization Reimbursement Allowance | 32 MoReg 1167 | December 27, 2007 |
| **13 CSR 70-10.015** | Prospective Reimbursement Plan for Nursing Facility Services | This Issue | March 28, 2008 |
| **13 CSR 70-10.030** | Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR Services | 32 MoReg 1168 | December 27, 2007 |
| **13 CSR 70-10.080** | Prospective Reimbursement Plan for HIV Nursing Facility Services | This Issue | March 29, 2008 |
| **13 CSR 70-15.110** | Federal Reimbursement Allowance (FRA) | 32 MoReg 1169 | December 27, 2007 |
| **13 CSR 70-15.180** | Grant to Trauma Hospitals for the Care Provided by Physicians Not Employed by the Hospital | 32 MoReg 1087 | December 12, 2007 |

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**15 CSR 30-70.010** Definitions . . . . . 32 MoReg 1894 . . . . . February 28, 2008
**15 CSR 30-70.020** Application Assistant Training, Registration and Renewal . . . . . 32 MoReg 1895 . . . . . February 28, 2008
**15 CSR 30-70.030** Program Participant Application and Certification Process . . . . . 32 MoReg 1896 . . . . . February 28, 2008
**15 CSR 30-70.040** Cancellation of Program Certification . . . . . 32 MoReg 1897 . . . . . February 28, 2008
**15 CSR 30-70.050** Exercise of Program Participant's Privileges . . . . . 32 MoReg 1897 . . . . . February 28, 2008
**15 CSR 30-70.060** Service of Process . . . . . 32 MoReg 1898 . . . . . February 28, 2008
**15 CSR 30-70.070** Program Participant Renewal . . . . . 32 MoReg 1898 . . . . . February 28, 2008
**15 CSR 30-70.080** Agency Disclosure Request . . . . . 32 MoReg 1899 . . . . . February 28, 2008
**15 CSR 30-70.090** Disclosure to Law Enforcement . . . . . 32 MoReg 1900 . . . . . February 28, 2008

## Department of Health and Senior Services

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**19 CSR 20-20.010** Definitions Relating to Communicable, Environmental and Occupational Diseases . . . . . 32 MoReg 1087 . . . . . January 1, 2008
**19 CSR 20-20.050** Quarantine or Isolation Practices and Closing of Schools and Places of Public and Private Assembly . . . . . 32 MoReg 1089 . . . . . January 1, 2008

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**19 CSR 40-7.040** Definitions . . . . . This Issue . . . . . March 14, 2008
**19 CSR 40-7.050** Program Eligibility . . . . . This Issue . . . . . March 14, 2008
**19 CSR 40-7.060** Application Process . . . . . This Issue . . . . . March 14, 2008
**19 CSR 40-10.010** Payments for Sexual Assault Forensic Examinations . . . . . This Issue . . . . . March 7, 2008

## Department of Insurance, Financial Institutions and Professional Registration

**Statistical Reporting**

**20 CSR 600-1.030** Medical Malpractice Statistical Data Reporting . . . . . 32 MoReg 1023 . . . . . February 28, 2008

# Executive Orders



| Executive Orders | Subject Matter | Filed Date | Publication |
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| | **2007** | | |
| **07-01** | Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies | January 2, 2007 | 32 MoReg 295 |
| **07-02** | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | January 13, 2007 | 32 MoReg 298 |
| **07-03** | Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities | January 13, 2007 | 32 MoReg 299 |
| **07-04** | Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period | January 13, 2007 | 32 MoReg 301 |
| **07-05** | Transfers the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation | January 30, 2007 | 32 MoReg 406 |
| **07-06** | Transfers the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Department of Revenue | January 30, 2007 | 32 MoReg 408 |
| **07-07** | Transfers the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety | January 30, 2007 | 32 MoReg 410 |
| **07-08** | Extends the declaration of emergency contained in Executive Order 07-02 and the terms of Executive Order 07-04 through May 15, 2007, for continuing cleanup efforts from a severe storm that began on January 12 | February 6, 2007 | 32 MoReg 524 |
| **07-09** | Orders the Commissioner of Administration to take certain specific cost saving actions with the OA Vehicle Fleet | February 23, 2007 | 32 MoReg 571 |
| **07-10** | Reorganizes the Governor's Advisory Council on Physical Fitness and Health and relocates it to the Department of Health and Senior Services | February 23, 2007 | 32 MoReg 573 |
| **07-11** | Designates members of staff with supervisory authority over selected state agencies | February 23, 2007 | 32 MoReg 576 |
| **07-12** | Orders agencies to support measures that promote transparency in health care | March 2, 2007 | 32 MoReg 625 |
| **07-13** | Orders agencies to audit contractors to ensure that they employ people who are eligible to work in the United States, and requires future contracts to contain language allowing the state to cancel the contract if the contractor has knowingly employed individuals who are not eligible to work in the United States | March 6, 2007 | 32 MoReg 627 |
| **07-14** | Creates and establishes the Missouri Mentor Initiative, under which up to 200 full-time employees of the state of Missouri are eligible for one hour per week of paid approved work to mentor in Missouri public primary and secondary schools up to 40 hours annually | April 11, 2007 | 32 MoReg 757 |
| **07-15** | Gov. Matt Blunt increases the membership of the Mental Health Transformation Working Group from eighteen to twenty-four members | April 23, 2007 | 32 MoReg 839 |
| **07-16** | Creates and establishes the Governor's "Crime Laboratory Review Commission" within the Department of Public Safety | June 7, 2007 | 32 MoReg 1090 |
| **07-17** | Gov. Matt Blunt activates portions of the Missouri National Guard in response to severe storms and potential flooding | May 7, 2007 | 32 MoReg 963 |
| **07-18** | Gov. Matt Blunt declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated in response to severe storms that began May 5 | May 7, 2007 | 32 MoReg 965 |
| **07-19** | Gov. Matt Blunt authorizes the departments and agencies of the Executive Branch of Missouri state government to adopt a program by which employees may donate a portion of their annual leave benefits to other employees who have experienced personal loss due to the 2007 flood or who have volunteered in a flood relief | May 7, 2007 | 32 MoReg 967 |
| **07-20** | Gov. Matt Blunt gives the director of the Department of Natural Resources the authority to suspend regulations in the aftermath of a flood emergency | May 7, 2007 | 32 MoReg 969 |
| **07-21** | Orders agencies to evaluate the performance of all employees pursuant to the procedures of the Division of Personnel within the Office of Administration and that those evaluations be recorded in the Productivity, Excellence and Results for Missouri (PERforM) State Employee Online Appraisal System | July 11, 2007 | 32 MoReg 1389 |
| **07-22** | Declares a State of Emergency and directs the Missouri State Emergency Operations Plan to be activated due to severe weather that began on June 4, 2007 | July 3, 2007 | 32 MoReg 1391 |

| Executive Orders | Subject Matter | Filed Date | Publication |
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| **07-23** | Activates the state militia in response to the aftermath of severe storms that began on June 4, 2007 | July 3, 2007 | 32 MoReg 1393 |
| **07-24** | Orders the Commissioner of Administration to establish the Missouri Accountability Portal as a free Internet-based tool allowing citizens to view the financial transactions related to the purchase of goods and services and the distribution of funds for state programs | July 11, 2007 | 32 MoReg 1394 |
| **07-25** | Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operations Plan be activated | August 24, 2007 | 32 MoReg 1902 |
| **07-26** | Creates a Director/Administrator level multi-agency task force to address the concerns associated with feral hogs | August 30, 2007 | 32 MoReg 1904 |
| **07-27** | Declares a drought alert for the counties of Bolinger, Butler, Cape Girardeau, Carter, Dunklin, Franklin, Iron, Jefferson, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Scott, Stoddard, Washington, and Wayne | September 7, 2007 | This Issue |
| **07-28** | The Executive Order denoted 05-16 is hereby rescinded | September 10, 2007 | This Issue |
| **07-29** | Amends the membership and the duties of the Governor's Advisory Council on Aging | September 17, 2007 | This Issue |
| **07-30** | Lists members of staff having supervisory authority over departments, divisions or agencies | September 13, 2007 | This Issue |

**2006**

| | | | |
|---|---|---|---|
| **06-01** | Designates members of staff with supervisory authority over selected state agencies | January 10, 2006 | 31 MoReg 281 |
| **06-02** | Extends the deadline for the State Retirement Consolidation Commission to issue its final report and terminate operations to March 1, 2006 | January 11, 2006 | 31 MoReg 283 |
| **06-03** | Creates and establishes the Missouri Healthcare Information Technology Task Force | January 17, 2006 | 31 MoReg 371 |
| **06-04** | Governor Matt Blunt transfers functions, personnel, property, etc. of the Division of Finance, the State Banking Board, the Division of Credit Unions, and the Division of Professional Registration to the Department of Insurance. Renames the Department of Insurance as the Missouri Department of Insurance, Financial Institutions and Professional Registration. Effective August 28, 2006 | February 1, 2006 | 31 MoReg 448 |
| **06-05** | Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Rx Plan Advisory Commission to the Missouri Department of Health and Senior Services. Effective August 28, 2006 | February 1, 2006 | 31 MoReg 451 |
| **06-06** | Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Assistive Technology Advisory Council to the Missouri Department of Elementary and Secondary Education. Rescinds certain provisions of Executive Order 04-08. Effective August 28, 2006 | February 1, 2006 | 31 MoReg 453 |
| **06-07** | Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Life Sciences Research Board to the Missouri Department of Economic Development | February 1, 2006 | 31 MoReg 455 |
| **06-08** | Names the state office building, located at 1616 Missouri Boulevard, Jefferson City, Missouri, in honor of George Washington Carver | February 7, 2006 | 31 MoReg 457 |
| **06-09** | Directs and orders that the Director of the Department of Public Safety is the Homeland Security Advisor to the Governor, reauthorizes the Homeland Security Advisory Council and assigns them additional duties | February 10, 2006 | 31 MoReg 460 |
| **06-10** | Establishes the Government, Faith-based and Community Partnership | March 7, 2006 | 31 MoReg 577 |
| **06-11** | Orders and directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property and to employ such equipment as may be necessary in support of civilian authorities | March 13, 2006 | 31 MoReg 580 |
| **06-12** | Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated | March 13, 2006 | 31 MoReg 582 |
| **06-13** | The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the public health and safety during the period of the emergency and the subsequent recovery period | March 13, 2006 | 31 MoReg 584 |
| **06-14** | Declares a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated | April 3, 2006 | 31 MoReg 643 |

| Executive Orders | Subject Matter | Filed Date | Publication |
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| **06-15** | Orders and directs the Adjutant General, or his designee, to call and order into active service portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and take such action and employ such equipment as may be necessary in support of civilian authorities, and provide assistance as authorized and directed by the Governor | April 3, 2006 | 31 MoReg 645 |
| **06-16** | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | April 3, 2006 | 31 MoReg 647 |
| **06-17** | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | April 3, 2006 | 31 MoReg 649 |
| **06-18** | Authorizes the investigators from the Division of Fire Safety, the Park Rangers from the Department of Natural Resources, the Conservation Agents from the Department of Conservation, and other POST certified state agency investigators to exercise full state wide police authority as vested in Missouri peace officers pursuant to Chapter 590, RSMo during the period of this state declaration of emergency | April 3, 2006 | 31 MoReg 651 |
| **06-19** | Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts | April 3, 2006 | 31 MoReg 652 |
| **06-20** | Creates interim requirements for overdimension and overweight permits for commercial motor carriers engaged in storm recovery efforts | April 5, 2006 | 31 MoReg 765 |
| **06-21** | Designates members of staff with supervisory authority over selected state agencies | June 2, 2006 | 31 MoReg 1055 |
| **06-22** | Healthy Families Trust Fund | June 22, 2006 | 31 MoReg 1137 |
| **06-23** | Establishes Interoperable Communication Committee | June 27, 2006 | 31 MoReg 1139 |
| **06-24** | Establishes Missouri Abraham Lincoln Bicentennial Commission | July 3, 2006 | 31 MoReg 1209 |
| **06-25** | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | July 20, 2006 | 31 MoReg 1298 |
| **06-26** | Directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities | July 20, 2006 | 31 MoReg 1300 |
| **06-27** | Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts | July 21, 2006 | 31 MoReg 1302 |
| **06-28** | Authorizes Transportation Director to issue declaration of regional or local emergency with reference to motor carriers | July 22, 2006 | 31 MoReg 1304 |
| **06-29** | Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies | August 11, 2006 | 31 MoReg 1389 |
| **06-30** | Extends the declaration of emergency contained in Executive Order 06-25 and the terms of Executive Order 06-27 through September 22, 2006, for the purpose of continuing the cleanup efforts in the east central part of the State of Missouri | August 18, 2006 | 31 MoReg 1466 |
| **06-31** | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | September 23, 2006 | 31 MoReg 1699 |
| **06-32** | Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts | September 26, 2006 | 31 MoReg 1701 |
| **06-33** | Governor Matt Blunt orders all state employees to enable any state owned wireless telecommunications device capable of receiving text messages or emails to receive wireless AMBER alerts | October 4, 2006 | 31 MoReg 1847 |
| **06-34** | Governor Matt Blunt amends Executive Order 03-26 relating to the duties of the Information Technology Services Division and the Information Technology Advisory Board | October 11, 2006 | 31 MoReg 1849 |
| **06-35** | Governor Matt Blunt creates the Interdepartmental Coordination Council for Job Creation and Economic Growth | October 11, 2006 | 31 MoReg 1852 |
| **06-36** | Governor Matt Blunt creates the Interdepartmental Coordination Council for Laboratory Services and Utilization | October 11, 2006 | 31 MoReg 1854 |
| **06-37** | Governor Matt Blunt creates the Interdepartmental Coordination Council for Rural Affairs | October 11, 2006 | 31 MoReg 1856 |
| **06-38** | Governor Matt Blunt creates the Interdepartmental Coordination Council for State Employee Career Opportunity | October 11, 2006 | 31 MoReg 1858 |
| **06-39** | Governor Matt Blunt creates the Mental Health Transformation Working Group | October 11, 2006 | 31 MoReg 1860 |
| **06-40** | Governor Matt Blunt creates the Interdepartmental Coordination Council for State Service Delivery Efficiency | October 11, 2006 | 31 MoReg 1863 |
| **06-41** | Governor Matt Blunt creates the Interdepartmental Coordination Council for Water Quality | October 11, 2006 | 31 MoReg 1865 |

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| **06-42** | Designates members of staff with supervisory authority over selected state departments, divisions, and agencies | October 20, 2006 | 31 MoReg 1936 |
| **06-43** | Closes state offices on Friday, November 24, 2006 | October 24, 2006 | 31 MoReg 1938 |
| **06-44** | Adds elementary and secondary education as another category with full membership representation on the Regional Homeland Security Oversight Committees in order to make certain that schools are included and actively engaged in homeland security planning at the state and local level | October 26, 2006 | 31 MoReg 1939 |
| **06-45** | Directs the Department of Social Services to prepare a Medicaid beneficiary employer report to be submitted to the governor on a quarterly basis. Such report shall be known as the Missouri Health Care Responsibility Report | November 27, 2006 | 32 MoReg 6 |
| **06-46** | Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated | December 1, 2006 | 32 MoReg 127 |
| **06-47** | Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities | December 1, 2006 | 32 MoReg 129 |
| **06-48** | Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period | December 1, 2006 | 32 MoReg 131 |
| **06-49** | Directs the Department of Mental Health to implement recommendations from the Mental Health Task Force to protect client safety and improve the delivery of mental health services | December 19, 2006 | 32 MoReg 212 |
| **06-50** | Extends the declaration of emergency contained in Executive Order 06-46 and the terms of Executive Order 06-48 through March 1, 2007, for the purpose of continuing the cleanup efforts in the affected Missouri communities | December 28, 2006 | 32 MoReg 214 |

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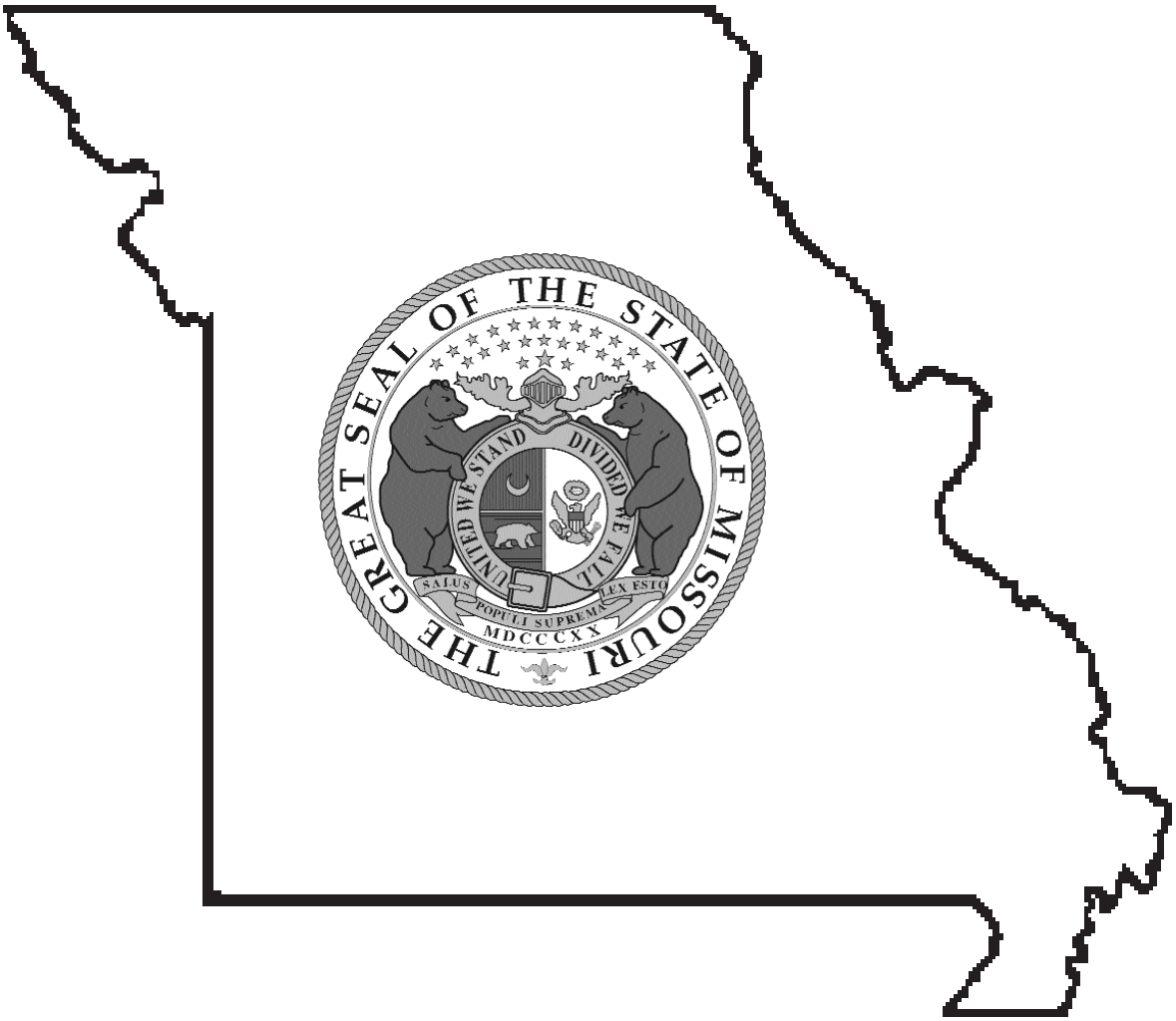


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