

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 400—Life, Annuities and Health
Chapter 1—Life Insurance and Annuity Standards**

PROPOSED AMENDMENT

20 CSR 400-1.010 Policy Approval Criteria for Life Insurance and Annuity Contracts. The division is amending subsection (1)(H).

PURPOSE: This rule is amended to comply with the requirements of section 376.620 in SB 66 (2007), relating to the exclusion of suicide applicable to life insurance contracts sold in Missouri.

(1) No life insurance or annuity contract, including applications, riders, endorsements, policies, and certificates, shall be approved for use in this state unless it conforms to the following:

(H) Any accidental death or dismemberment benefit provided in or supplemental to a life insurance or annuity contract shall not include any language which requires that accidental bodily injury be effected solely through external, violent, and accidental means. Any benefit for accidental death or dismemberment provided in, or supplemental to, a life insurance or annuity contract shall not exclude payment of these benefits for any covered loss, as provided in the contract, due to *[suicide or any attempt at suicide while insane;]* unintentionally self-inflicted injuries; unintentional or nonvoluntary inhalation of gas or taking of poisons; pyogenic infections which result from an accidental bodily injury; bacterial infections which result from the accidental ingestion of contaminated substances; or the insured's being under the influence of drugs, if the drugs were taken as prescribed by a physician.

AUTHORITY: sections 374.045, 376.670, 376.673, and 376.675, RSMo 2000 and section 376.671, RSMo Supp. [2002] 2007. This rule was previously filed as 4 CSR 190-13.230. Original rule filed May 13, 1983, effective Nov. 11, 1983. Amended: Filed Dec. 1, 1989, effective June 29, 1990. Amended: Filed July 12, 2002, effective Jan. 30, 2003. Amended: Filed May 28, 2008.

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 9:00 a.m. on August 4, 2008 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 August 4, 2008. Written statements shall be sent to Elfin L. Noce, 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 400—Life, Annuities and Health
Chapter 1—Life Insurance and Annuity Standards**

PROPOSED RESCISSION

20 CSR 400-1.050 Suicide No Defense to Payment. This rule set out mandatory riders dealing with the nonavailability of suicide as a defense to payment of life insurance benefits in Missouri.

PURPOSE: Pursuant to section 376.620 in SB 66 (2007), the purpose is to rescind this rule.

AUTHORITY: sections 375.045, 375.445, and 376.675, RSMo 2000. Originally filed as 4 CSR 190-13.110. This version of rule filed Sept. 5, 1975, effective Sept. 15, 1975. Amended: Filed May 13, 1985, effective Jan. 1, 1986. Rescinded: Filed May 28, 2008.

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 cost private entities twenty-three thousand, four hundred dollars (\$23,400) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rescission at 9:00 a.m. on August 4, 2008 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 rescission, until 5:00 p.m. on August 4, 2008. Written statements shall be sent to Elfin L. Noce, 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.

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	20 CSR 400-1.050 To rescind the "suicide regulation"
Type of Rulemaking:	Rescind a rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
468	Estimated number of Life insurance companies which would be permitted to use the rule	\$23,400 in one time costs

III. WORKSHEET

Estimated number of companies issuing life insurance is 468. The filing fee for each life insurance form filing is \$50. \$50 times 468 potential filings equals \$23,400.

IV. ASSUMPTIONS

The proposed action is to rescind the suicide regulation stated in 20 CSR 400-1.050 based on the revised §376.620 in SB 66 (2007).

Rescinding the rule is an allowance of using additional exclusions based on death by suicide. Insurance companies may file forms relating to the removal of the rule. Because companies will not be required to file or update forms, the Department of Insurance, Financial Institutions and Professional Registration estimates a minor increase in actual filing fees associated this rule.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 400—Life, Annuities and Health
Chapter 1—Life Insurance and Annuity Standards**

PROPOSED RULE

20 CSR 400-1.170 Recognition of Preferred Mortality Tables in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits

PURPOSE: The purpose of this rule is to recognize, permit and prescribe the use of mortality tables that reflect differences in mortality between preferred and standard lives in determining minimum reserve liabilities in accordance with the 2001 Commissioners' Standard Ordinary (CSO) Mortality Table in accordance with sections 376.380.1 and 376.670.9, RSMo, and 20 CSR 200-1.160(5)(A) and (B).

(1) Definitions.

(A) "2001 CSO Mortality Table" means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries Commissioners' Standard Ordinary (CSO) Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the National Association of Insurance Commissioners (NAIC) in December 2002. The 2001 CSO Mortality Table is included in the *Proceedings of the NAIC (2nd Quarter 2002)* and supplemented by the 2001 CSO Preferred Class Structure Mortality Table defined below in subsection (1)(B). Unless the context indicates otherwise, the 2001 CSO Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables. Mortality tables in the 2001 CSO Mortality Table include the following:

1. "2001 CSO Mortality Table (F)" means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table;

2. "2001 CSO Mortality Table (M)" means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table;

3. "Composite mortality tables" means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers; and

4. "Smoker and nonsmoker mortality tables" means mortality tables with separate rates of mortality for smokers and nonsmokers.

(B) "2001 CSO Preferred Class Structure Mortality Table" means mortality tables with separate rates of mortality for super-preferred nonsmokers, preferred nonsmokers, residual standard nonsmokers, preferred smokers, and residual standard smoker splits of the 2001 CSO Nonsmoker and Smoker Tables, as adopted by the NAIC at the September 2006 national meeting and published in the *NAIC Proceedings (3rd Quarter 2006)*. Unless the context indicates otherwise, the 2001 CSO Preferred Class Structure Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables and the gender composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

(C) "Statistical agent" means an entity with proven systems for protecting the confidentiality of individual insured and insurer information; demonstrated resources for and history of ongoing electronic communications and data transfer ensuring data integrity with insurers, which are its members or subscribers; and a history of and

means for aggregation of data and accurate promulgation of the experience modifications in a timely manner.

(2) 2001 CSO Preferred Class Structure Mortality Table.

(A) At the election of the insurer, for each calendar year of issue, for any one (1) or more specified plans of insurance and subject to satisfying the conditions stated in this regulation, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO Smoker or Nonsmoker Mortality Table as the minimum valuation standard for policies issued on or after the effective date of this regulation. No such election shall be made until the insurer or company demonstrates at least twenty percent (20%) of the business to be valued on this table is in one (1) or more of the preferred classes. A table from the 2001 CSO Preferred Class Structure Mortality Table used in place of a 2001 CSO Mortality Table, pursuant to the requirements of this rule, will be treated as part of the 2001 CSO Mortality Table only for purposes of reserve valuation pursuant to the requirements of the NAIC model regulation, "Recognition of the 2001 CSO Mortality Table For Use In Determining Minimum Reserve Liabilities And Nonforfeiture Benefits Model Regulation."

(3) Conditions.

(A) For each plan of insurance with separate rates for preferred and standard nonsmoker lives, an insurer or company may use the super-preferred nonsmoker, preferred nonsmoker, and residual standard nonsmoker tables to substitute for the nonsmoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, except for business valued under the residual standard nonsmoker table, the appointed actuary shall certify that:

1. The present value of death benefits over the next ten (10) years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class; and

2. The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.

(B) For each plan of insurance with separate rates for preferred and standard smoker lives, an insurer may use the preferred smoker and residual standard smoker tables to substitute for the smoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, for business valued under the preferred smoker table, the appointed actuary shall certify that:

1. The present value of death benefits over the next ten (10) years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the preferred smoker valuation basic table corresponding to the valuation table being used for that class; and

2. The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the preferred smoker valuation basic table.

(C) Unless exempted by the director, every authorized insurer or company using the 2001 CSO Preferred Class Structure Mortality Table shall annually file with the director, with the NAIC, or with a statistical agent designated by the NAIC and acceptable to the director, statistical reports showing mortality and such other information as the director may deem necessary or expedient for the administration of the provisions of this regulation. The form of the reports shall be established by the director or the director may require the use of

a form established by the NAIC or by a statistical agent designated by the NAIC and acceptable to the director.

AUTHORITY: sections 374.045, 376.380, 376.670, and 376.676, RSMo 2000. Original rule filed May 28, 2008.

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 cost private entities twenty-three thousand four hundred dollars (\$23,400) in one (1)-time costs and less than five thousand dollars (\$5,000) annually.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 9:00 a.m. on August 4, 2008, 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 August 4, 2008. Written statements shall be sent to Elfin L. Noce, 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.

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	20 CSR 400-1.170, Recognition of Preferred Mortality Tables in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
468	Estimated number of Life insurance companies which would be permitted to use the rule.	\$23,400 in one time revenue.
50	Estimated number of Life insurance companies which would annually submit filings for use of the rule.	Less than \$5,000 annually.

III. WORKSHEET

Estimated number of companies issuing life insurance is 468. The filing fee for each life insurance form filing is \$50. \$50 times 468 potential filings equals \$23,400.

IV. ASSUMPTIONS

The proposed rule does not have a sunset clause. Accordingly, the fiscal impact of the proposed rule cannot be estimated on an aggregate basis. An estimate of the annual fiscal impact is provided instead.

The rule is an allowance of using additional tables when determining Reserves or Nonforfeiture benefits. Insurance companies may file additional information relating to the propose rule. The Department of Insurance, Financial Institutions and Professional Registration estimates a minor increase in actual filing fees associated this rule.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 400—Life, Annuities and Health
Chapter 1—Life Insurance and Annuity Standards**

PROPOSED RULE

20 CSR 400-1.175 Minimum Standards for Determining Reserve Liabilities and Nonforfeiture Values for Life Insurance Sold with a Preneed Contract

PURPOSE: The purpose of this regulation is to establish minimum mortality standards for reserves and nonforfeiture values, and to require the use of the 1980 Commissioners' Standard Ordinary (CSO) Life Valuation Mortality Table for use in determining the minimum standard of valuation of reserves and the minimum standard nonforfeiture values for insurance products sold in conjunction with a preneed contract. The purpose of this regulation is not to regulate the sale or contract of a preneed arrangement, but rather, to regulate the values of the insurance sold in conjunction with the preneed contract.

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) Definitions.

(A) The term "2001 CSO Mortality Table" means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries Commissioners' Standard Ordinary (CSO) Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the National Association of Insurance Commissioners (NAIC), located at 2301 McGee Street, Suite 800, Kansas City, MO 64108, in December 2002. The 2001 CSO Mortality Table is incorporated by reference and included in the *Proceedings of the NAIC (2nd Quarter 2002)* and does not include any later amendments. Unless the context indicates otherwise, the 2001 CSO Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and non-smoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables. The 2001 CSO Mortality Table is available for public inspection at the department's office or by mailing a written request to the Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

(B) The term "Ultimate 1980 CSO" means the Commissioners' 1980 Standard Ordinary Life Valuation Mortality Tables (1980 CSO) without ten (10) year selection factors, incorporated into the 1980 amendments to the NAIC Standard Valuation Law approved in December 1983. The Ultimate 1980 CSO is incorporated by reference, published by the National Association of Insurance Commissioners, located at 2301 McGee Street, Suite 800, Kansas City, MO 64108, and does not include any later amendments. The Ultimate 1980 CSO is available for public inspection at the department's office or by mailing a written request to the Department of Insurance, Financial Institutions and Professional Registration, PO Box 690, Jefferson City, MO 65102.

(C) The term "preneed insurance" shall include a life insurance contract sold in conjunction with a preneed contract as defined in section 436.005(5), RSMo.

(2) Minimum Valuation Mortality Standards. For preneed insurance contracts and similar policies and contracts, the minimum mortality standard for determining reserve liabilities and nonforfeiture values for both male and female insureds shall be the Ultimate 1980 CSO.

(3) Minimum Valuation Interest Rate Standards.

(A) The interest rates used in determining the minimum standard for valuation of preneed insurance shall be the calendar year statuto-

ry valuation interest rates as defined in the Standard Valuation Law in section 376.380, RSMo.

(B) The interest rates used in determining the minimum standard for nonforfeiture values for preneed insurance shall be the calendar year statutory nonforfeiture interest rates as defined in the Standard Nonforfeiture Law in section 376.670, RSMo.

(4) Minimum Valuation Method Standards.

(A) The method used in determining the standard for the minimum valuation of reserves of preneed insurance shall be the method defined in the Standard Valuation Law in section 376.380, RSMo.

(B) The method used in determining the standard for the minimum nonforfeiture values for preneed insurance shall be the method defined in the Standard Nonforfeiture Law in section 376.670, RSMo.

(5) Transition Rules.

(A) For preneed insurance policies issued on or after the effective date of this regulation and before January 1, 2012, the 2001 CSO Mortality Table may be used as the minimum standard for reserves and minimum standard for nonforfeiture benefits for both male and female insureds.

(B) If an insurer elects to use the 2001 CSO Mortality Table as a minimum standard for any policy issued on or after the effective date of this regulation and before January 1, 2012, the insurer shall provide, as a part of the actuarial opinion memorandum submitted in support of the company's asset adequacy testing, an annual written notification to the domiciliary commissioner. The notification shall include:

1. A complete list of all preneed policy forms that use the 2001 CSO Mortality Table as a minimum standard;

2. A certification signed by the appointed actuary stating that the reserve methodology employed by the company in determining reserves for the preneed policies issued after the effective date and using the 2001 CSO Mortality Table as a minimum standard, develops adequate reserves. For the purposes of this certification, the preneed insurance policies using the 2001 CSO Mortality Table as a minimum standard cannot be aggregated with any other policies; and

3. Supporting information regarding the adequacy of reserves for preneed insurance policies issued after the effective date of this regulation and using the 2001 CSO Mortality Table as a minimum standard for reserves.

(C) Preneed insurance policies issued on or after January 1, 2012, must use the Ultimate 1980 CSO in the calculation of minimum nonforfeiture values and minimum reserves.

(6) Effective Date.

(A) This rule is applicable to preneed insurance policies and certificates and similar contracts and certificates issued on or after January 1, 2009.

AUTHORITY: sections 374.045, 376.380, 376.670, and 376.676, RSMo 2000. Original rule filed May 28, 2008.

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 cost private entities twenty-three thousand four hundred dollars (\$23,400) in one (1)-time costs and less than five thousand dollars (\$5,000) annually.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed rule at 9:00 a.m. on August 4, 2008, 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 August 8, 2008. Written statements shall be sent to Elfin L. Noce, 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.

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	20 CSR 400-1.175, Minimum Standards for Determining Reserve Liabilities and Nonforfeiture Values for Life Insurance Sold with a Preneed Contract
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
468	Estimated number of Life insurance companies which would be permitted to use the rule.	\$23,400 in one time revenue.
50	Estimated number of Life insurance companies which would annually submit filings for use of the rule.	Less than \$5,000 annually.

III. WORKSHEET

Estimated number of companies issuing life insurance is 468. The filing fee for each life insurance form filing is \$50. \$50 times 468 potential filings equals \$23,400.

IV. ASSUMPTIONS

The proposed rule does not have a sunset clause. Accordingly, the fiscal impact of the proposed rule cannot be estimated on an aggregate basis. An estimate of the annual fiscal impact is provided instead.

The rule is an allowance of using an alternative table when determining Reserves or Nonforfeiture benefits. Insurance companies may file additional information relating to the propose rule. The Department of Insurance, Financial Institutions and Professional Registration estimates a minor increase in actual filing fees associated this rule.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2010—Missouri State Board of Accountancy
Chapter 1—Organization and Description of Board**

PROPOSED AMENDMENT

20 CSR 2010-1.020 Board Compensation. The board is proposing to amend section (1).

PURPOSE: This amendment fixes the compensation for the members of the Missouri State Board of Accountancy, in compliance with the mandates of section 326.200.4, RSMo.

(1) Each member of the Missouri State Board of Accountancy shall receive as compensation the sum of *[fifty]* **seventy** dollars *[(~~\$50~~)]* **(\$70)** for each day that any member devotes to the affairs of the board.

AUTHORITY: sections 326.268 and 326.271, RSMo Supp. [2005] 2007. This rule originally filed as 4 CSR 10-1.020. Emergency rule filed Sept. 9, 1981, effective Sept. 19, 1981, expired Dec. 10, 1981. Original rule filed Sept. 9, 1981, effective Dec. 11, 1981. Amended: Filed July 13, 1993, effective Jan. 31, 1994. Moved to 20 CSR 2010-1.020, effective Aug. 28, 2006. Amended: Filed April 3, 2006, effective Nov. 30, 2006. Amended: Filed May 27, 2008.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately two thousand one hundred dollars (\$2,100) annually. It is anticipated that the costs will recur for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

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 State Board of Accountancy, Pamela Hill, Executive Director, PO Box 613, Jefferson City, MO 65102-0613 or at mosba@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.*

PUBLIC ENTITY FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2010 - Missouri State Board of Accountancy****Chapter 1 - Organization and Description of Board****Proposed Amendment - 20 CSR 2010-1.020 Board Compensation**

Prepared April 25, 2008 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance		
Missouri State Board of Accountancy	\$2,100.00		
	<table border="1"> <tr> <td>Total Annual Cost of Compliance for the Life of the Rule</td> <td>\$2,100.00</td> </tr> </table>	Total Annual Cost of Compliance for the Life of the Rule	\$2,100.00
Total Annual Cost of Compliance for the Life of the Rule	\$2,100.00		

III. WORKSHEET

The seven board members for the Missouri State Board of Accountancy will average fifteen meetings per year. The costs associated with the increase in per diem are shown in the table below.

STAFF	Number of Board Members	Daily Per Diem	Per Diem Increase	Number of Meetings Per Year	Total Cost
Board Members	7	\$70	\$20 Increase	15	\$2,100.00
				Total Annual Cost Increase	\$2,100.00

IV. ASSUMPTION

1. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2150—State Board of Registration for the
Healing Arts**

Chapter 7—Licensing of Physician Assistants

PROPOSED AMENDMENT

20 CSR 2150-7.300 Applicants for Temporary Licensure. The board is proposing to amend section (6).

PURPOSE: Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. Therefore, references to 4 CSR 150 are being amended throughout the rule. This amendment also corrects grammatical errors and deletes obsolete information.

(6) All applicants are required to submit satisfactory evidence of completion of a physician assistant program accredited by the Committee on Allied Health, Education and Accreditation of the American Medical Association, or its successor. Applicants shall submit **one of the following**:

(A) *[o]Official transcripts from their school of graduation confirming the degree awarded and date of degree awarded; or [a copy of their diploma.]*

(B) **A form furnished by the board and completed by the accredited physician assistant program. This form must state that the applicant has pursued, passed, and successfully completed all the requirements of the physician assistant program according to the standards of the American Medical Association's Committee on Allied Health Education and Accreditation.**

AUTHORITY: sections 334.125, 334.736, 334.738, 334.742, 334.743, and 334.745, RSMo 2000 and sections 334.100, 334.735, and 334.749, RSMo Supp. 2007. This rule originally filed as 4 CSR 150-7.300. Original rule filed July 25, 2000, effective Dec. 30, 2000. Moved to 20 CSR 2150-7.300, effective Aug. 28, 2006. Amended: Filed Dec. 14, 2007, effective June 30, 2008. Amended: Filed May 27, 2008.

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 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 2200—State Board of Nursing
Chapter 4—General Rules**

PROPOSED AMENDMENT

20 CSR 2200-4.030 Public Complaint Handling and Disposition Procedure. The board is proposing to amend the original purpose statement and sections (1) through (5).

PURPOSE: This amendment clarifies the original purpose statement and the process for filing a complaint with the board.

PURPOSE: This rule establishes a procedure for the receipt, handling, and disposition of public complaints by the board[, pursuant to the mandate of section 4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo].

(1) The State Board of Nursing shall receive and process each complaint made against any licensee[, or permit holder, [registrant of the board or unlicensed individual or entity,] which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 335, RSMo. Any member of the public or profession, or any federal, state, or local officials may make and file a complaint with the board. *[Complaints shall be received from sources outside Missouri and processed in the same manner as those originating within Missouri.]* No member of the State Board of Nursing shall file a complaint with this board while holding that office, unless that member is excused from further board deliberations or activity concerning the matters alleged within that complaint. The executive director or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints should be mailed, **faxed**, or delivered to the following address: Executive Director, Missouri State Board of Nursing, 3605 Missouri Boulevard, PO Box 656, Jefferson City, MO 65102-0656. *[However, actual receipt of the written complaint by the board at its administrative offices in any manner shall be sufficient. A complaint may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.]*

(3) All complaints shall be made in writing and shall fully identify the complainant by name and address. Complaints may be made on forms which are provided by the board and available upon request. *[Oral or telephone communications will not be considered or processed as complaints, but the person making these communications will be provided with a complaint form and requested to complete it and return it to the board in written form. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone or written communications received by the board, unless those communications are believed by that staff member to be false.]*

(4) Each complaint received under this rule shall be logged in a book maintained by the board for that purpose. Complaints shall be logged in consecutive order as received. The logbook shall contain a record of each complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is received by the board[,]; a brief statement of the acts complained of[, including the name of any person injured or victimized by the alleged acts or practices]; a notation whether the complaint resulted in its dismissal by the board or informal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. This logbook shall be a closed record of the board.

(5) Each complaint received under this rule shall be acknowledged in writing. *[The acknowledgement shall state that the complaint is being referred to the board for consideration at its next regularly scheduled meeting.]* The complainant shall be informed as to whether the complaint is being investigated and later as to whether the complaint has been dismissed by the board *[or is being referred to legal counsel for filing with the Administrative Hearing Commission]*. The complainant shall be notified of the disciplinary action taken, if any. The provisions of this section shall not apply to complaints filed by staff members of the board based on

information and belief, acting in reliance on third-party information received by the board.

AUTHORITY: sections [4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B] 620.010.15(6) and 335.036, RSMo [2000] Supp. 2007. This rule originally filed as 4 CSR 200-4.030. Original rule filed Feb. 10, 1982, effective May 13, 1982. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2200-4.030, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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 Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075 or via email at nursing@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 2200—State Board of Nursing Chapter 4—General Rules

PROPOSED AMENDMENT

20 CSR 2200-4.040 Mandatory Reporting Rule. The board is proposing to amend the original purpose statement and sections (1) through (4).

PURPOSE: Pursuant to House Bill 780 and Senate Bill 308 (2007) this rule is being amended to include temporary nursing staffing agencies as mandated reporters and clarifies what information needs to be reported.

PURPOSE: This rule establishes a procedure and guidelines regarding reports required from hospitals, [or] ambulatory surgical centers, or temporary nursing staffing agencies by section 383.133, RSMo concerning any final disciplinary action against a nurse licensed under Chapter 335, RSMo or the voluntary resignation of any such nurse.

(1) The [Missouri] State Board of Nursing shall receive and process any report from a hospital, [or] ambulatory surgical center, or temporary nursing staffing agency concerning any disciplinary action against a nurse licensed under Chapter 335, RSMo or the voluntary resignation of any such nurse against whom any complaints or reports have been made which might have led to disciplinary action. **Disciplinary action is defined in section 383.130, RSMo as any final action taken by the board of trustees or similarly empowered officials of a hospital or ambulatory surgical center, or owner or operator of a temporary nursing staffing agency, to reprimand, discipline, or restrict the practice of a health care professional. Only such reprimands, discipline, or restrictions in response to activities which are also grounds for disciplinary actions according to the professional licensing law for that health care professional shall be considered disciplinary actions for purposes of this definition.**

(2) Reports to the board shall be in writing and shall comply with the minimum requirements as set forth in [section 383.133.2, RSMo and] this rule. The Board of Nursing will assume that all reports received from hospitals, [or] ambulatory surgical centers, or temporary nursing staffing agencies will be treated as under section 383.133, RSMo. The information shall be submitted within fifteen (15) days of the final disciplinary action, and shall contain, but need not be limited to—

(C) [A brief description of the facts which gave rise to the issuance of the report, including the dates of occurrence deemed to necessitate the filing of the report;] **A description of the facts, including as much detail and information as possible, which gave rise to the issuance of the report, including the dates of occurrence deemed to necessitate the filing of the report. Whenever possible, the report should include:**

1. The date of each alleged incident;
2. The name of the patient involved;
3. If the incident involves medication, the name of the medication;
4. Very specific details describing the events;
5. List witnesses to the incident(s) and their contact information; and
6. If you conducted an internal investigation, provide a copy of the report;

(3) Reports made to the board under the mandated reporting requirements as defined in Chapter 383, RSMo shall not be deemed a violation of the federal Health Insurance Portability and Accountability Act (HIPAA) and the privacy rules located in the Act because the Missouri State Board of Nursing qualifies as a health oversight agency as defined in the HIPAA privacy rules.

[(3)](4) Any activity that is construed to be a cause for disciplinary action according to section 335.066, RSMo shall be deemed reportable to the board. Nothing in this rule shall be construed as limiting or prohibiting any person from reporting a violation of the Nursing Practice Act directly to the [Missouri] State Board of Nursing.

[(4) In response to a written or verbal inquiry on a specific nurse from a hospital or ambulatory surgical center regarding reports received by the board under the provisions of section 383.133, RSMo, and this rule, the board may provide the following information:

- (A) Whether any reports have been received;
- (B) A brief description of the facts that gave rise to the issuance of the report, including the dates of occurrence deemed to necessitate the filing of the reports;
- (C) The nature of the final action taken by the hospital or ambulatory surgical center; and
- (D) Disciplinary action that the board took on each report.]

AUTHORITY: sections 335.036[, RSMo Supp. 1999] and 383.133, RSMo [1994] Supp. 2007. This rule originally filed as 4 CSR 200-4.040. Original rule filed Aug. 5, 1987, effective Nov. 12, 1987. Amended: Filed Jan. 8, 1988, effective April 28, 1988. Amended: Filed April 19, 1996, effective Nov. 30, 1996. Amended: Filed July 11, 2000, effective Jan. 30, 2001. Moved to 20 CSR 2200-4.040, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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

Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075 or via email at nursing@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 2232—Missouri State Committee of Interpreters
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2232-1.020 Policy for Release of Public Records. The board is proposing to amend section (4).

PURPOSE: Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. Therefore, references to 4 CSR 232 are being amended throughout the rule.

(4) The division or committee may charge a reasonable fee, pursuant to rules promulgated by the committee, for the cost for researching, inspecting, and copying the records. Charges and payments of the fees shall be based upon the cost for researching and copying records and shall be according to subsections [4 CSR 232-1.040] 20 CSR 2232-1.040(1)(E) and (G).

AUTHORITY: section 209.328, RSMo [1994] 2000. This rule originally filed as 4 CSR 232-1.020. Original rule filed Feb. 18, 1999, effective July 30, 1999. Moved to 20 CSR 2232-1.020, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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 State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, or via email at interpreters@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 2232—Missouri State Committee of Interpreters
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2232-2.010 Application for Licensure. The board is proposing to amend section (2).

PURPOSE: Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20.

Therefore, references to 4 CSR 232 are being amended throughout the rule.

(2) An application is not considered officially filed with the committee until it has been determined by the committee or division staff to be complete and the application is submitted on the form provided by the committee, typewritten or printed in black ink, signed, notarized, and accompanied by the application fee pursuant to [4 CSR 232-1.040] 20 CSR 2232-1.040(1)(A).

AUTHORITY: section 209.328.2(1) and (3), RSMo [1994] 2000. This rule originally filed as 4 CSR 232-2.010. Original rule filed Feb. 18, 1999, effective July 30, 1999. Moved to 20 CSR 2232-2.010, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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 State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, or via email at interpreters@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 2232—Missouri State Committee of Interpreters
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2232-2.020 Application for Temporary License. The board is proposing to amend section (2).

PURPOSE: Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. Therefore, references to 4 CSR 232 are being amended throughout the rule.

(2) An application for a temporary license is not considered officially filed with the committee until it has been determined by the committee or division staff to be complete and the application is submitted on the form provided by the committee, typewritten or printed in black ink, signed, notarized, and accompanied by the application fee for temporary licensure pursuant to [4 CSR 232-1.040] 20 CSR 2232-1.040(1)(D).

AUTHORITY: section 209.328.2(1) and (3), RSMo [1994] 2000. This rule originally filed as 4 CSR 232-2.020. Original rule filed Feb. 18, 1999, effective July 30, 1999. Moved to 20 CSR 2232-2.020, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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 State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, or via email at interpreters@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 2232—Missouri State Committee of Interpreters
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2232-2.030 Name and Address Change and License Renewal. The board is proposing to amend section (4).

PURPOSE: Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. Therefore, references to 4 CSR 232 are being amended throughout the rule.

(4) A license shall be renewed prior to the expiration of the license. Failure to receive a license renewal notice shall not relieve the licensee of the obligation to renew the license to practice as an interpreter and pay the required fee prior to the expiration date of the license. Renewals shall be postmarked no later than the expiration date of the license to avoid the late penalty fee as defined in [4 CSR 232-1.040] **20 CSR 2232-1.040(1)(C)**.

AUTHORITY: section 209.328.2, RSMo 2000. This rule originally filed as 4 CSR 232-2.030. Original rule filed Feb. 18, 1999, effective July 30, 1999. Amended: Filed March 18, 2005, effective Sept. 30, 2005. Moved to 20 CSR 2232-2.030, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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 State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, or via email at interpreters@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 2232—Missouri State Committee of Interpreters
Chapter 3—Ethical Rules of Conduct**

PROPOSED AMENDMENT

20 CSR 2232-3.020 Consumer Welfare. The board is proposing to amend section (3).

PURPOSE: Pursuant to Executive Order 06-04 the Division of Professional Registration was transferred from the Department of Economic Development, Title 4, to the Department of Insurance, Financial Institutions and Professional Registration, Title 20. Therefore, references to 4 CSR 232 are being amended throughout the rule.

(3) When interpreting multiple assignments for the same consumer(s) or platform interpreting, an interpreter shall not be required to provide the information outlined in [4 CSR 232-3.020] **20 CSR 2232-3.020(1)** before beginning the assignment.

AUTHORITY: section 209.328.2(1) and (3), RSMo [1994] 2000. This rule originally filed as 4 CSR 232-3.020. Original rule filed Feb. 18, 1999, effective July 30, 1999. Moved to 20 CSR 2232-3.020, effective Aug. 28, 2006. Amended: Filed May 27, 2008.

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 State Committee of Interpreters, Pam Groose, Executive Director, PO Box 1335, Jefferson City, MO 65102, or via email at interpreters@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 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 50—Division of School Improvement Chapter 270—Early Childhood Education

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 178.691–178.699, RSMo 2000 and section 161.092, RSMo Supp. 2007, the board amends a rule as follows:

5 CSR 50-270.010 General Provisions Governing Programs Authorized Under the Early Childhood Development Act is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2008 (33 MoReg 436–438). 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 50—Division of School Improvement Chapter 340—School Improvement and Accountability

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092(2), 163.011, 163.021(2), and 163.031, RSMo Supp. 2007 and sections 167.227 and 178.280, RSMo 2000, the board amends a rule as follows:

5 CSR 50-340.050 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2008 (33 MoReg 439–440). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Elementary and Secondary Education (DESE) received the following comments regarding the proposed amendment:

COMMENT #1: One (1) comment was received from the only school district that utilizes the “year-round” cycle schedule at the elementary building level. The comment requests the use of attendance hours during breaks be attributed to the June summer school cycle. RESPONSE AND EXPLANATION OF CHANGE: Additional language has been added in sections (1) and (2) and a new paragraph has been added to subsection (2)(A) to address the school district(s) with year-round cycle term schedules holding summer school during breaks.

COMMENT #2: One (1) internal comment was received regarding adding sections 167.227 and 178.280, RSMo to the amendment because of the direct relation to summer school.

RESPONSE AND EXPLANATION OF CHANGE: Additional language has been added in the authority section.

5 CSR 50-340.050 Policies and Standards for Summer School Programs

(1) Summer school programs may be held any time between the close of the regular school term and the beginning of the next regular term and must be approved by the local school board. School districts with a “year-round” regular term schedule may conduct an approved component of summer school during the breaks in the regular term. A summer school program shall consist of a planned schedule of course offerings for resident students at the elementary or high school level. An approved summer school program for students without disabilities must be in session for at least one hundred twenty (120) clock hours. Summer school programs for students with disabilities must be in session for at least sixty (60) clock hours depending upon the hours needed to comply with the Individualized Education Program (IEP).

(2) A school board may authorize the operation of summer school programs at the elementary or high school level, or both. Each approved summer school program shall have at least the required minimum clock hours of instruction. An elementary summer school program may include any combination of grades kindergarten through eight (K–8). A high school summer school program may include any combination of grades seven through twelve (7–12). A school district or charter school may operate one (1) or more summer school programs at any level. Each summer school program that is operated separately with different opening and closing dates must meet the minimum clock hours of instruction requirements. A variety of classes may be offered at either the elementary or secondary level which meet state guidelines and whose total hours of instruction equal at least one hundred twenty (120) clock hours. A second method of meeting the clock hour requirement is to offer a variety of classes at the elementary and secondary level whose combined hours

total at least one hundred twenty (120). This method is commonly referred to as “stacking.” Under the “stacking” method, typically sixty (60) hours of instruction are offered at the elementary level with sixty (60) hours of instruction offered at the secondary level for a combined total of one hundred twenty (120) clock hours. The clock hours of regular summer school classes may be combined with the clock hours of special education extended school year programs to reach the one hundred twenty (120)-clock hour requirement. No individual course or segment of an approved summer school program, other than special education programs, may consist of less than thirty (30) clock hours of classroom instruction. Minimum time requirements exclude break time and lunch time. School districts with “year-round” regular term schedules may include instructional hours offered in a structured summer school program held during breaks in the regular term.

(A) Examples of acceptable combinations are as follows:

1. Sixty (60) hours in grades kindergarten through six (K-6) or kindergarten through eight (K-8) plus sixty (60) hours in grades seven through eight (7-8) or nine through twelve (9-12) in an approved summer school;
2. Sixty (60) hours in a special education extended school year program plus sixty (60) hours in grades kindergarten through eight (K-8) or nine through twelve (9-12) in an approved summer school;
3. Thirty (30) hours in grades kindergarten through six (K-6) plus thirty (30) hours in grades seven through eight (7-8) plus sixty (60) hours in grades nine through twelve (9-12) in an approved summer school; or
4. Sixty (60) hours in grades kindergarten through eight (K-8) offered during breaks in the regular term plus sixty (60) hours in grades nine through twelve (9-12) offered during breaks in the regular term for school districts with year-round regular term schedules.

AUTHORITY: sections 161.092(2), 163.011, 163.021(2), and 163.031, RSMo Supp. 2007 and sections 167.227 and 178.280, RSMo 2000. Original rule filed May 14, 1971, effective May 24, 1971. Rescinded and readopted: Filed Nov. 15, 1977, effective Feb. 15, 1978. Amended: Filed Aug. 12, 1983, effective Dec. 12, 1983. Amended: Filed May 11, 1995, effective Dec. 30, 1995. Amended: Filed Jan. 16, 2008, effective Aug. 30, 2008.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 80—Teacher Quality and Urban Education
Chapter 860—Scholarships and Financial Aid**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092 and 173.232, RSMo Supp. 2007, the board adopts a rule as follows:

5 CSR 80-860.050 is adopted.

A notice of proposed rulemaking containing the proposed rule was published in the *Missouri Register* on March 3, 2008 (33 MoReg 535-541). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received on the proposed rule.

COMMENT #1: In section (11) of the proposed rule, mention is made of the agreement form. This form should be the Urban Flight and Rural Needs Scholarship Form A.

RESPONSE AND EXPLANATION OF CHANGE: Section (11) is changed to correct the name of the referenced form.

5 CSR 80-860.050 Urban Flight and Rural Needs Scholarship Program

(11) On the two (2) occasions, at the beginning of the first and second semesters after the recipient has completed all enrollment requirements and is ready to attend class, the recipient (and parents or guardians, if the recipient is under eighteen (18) years of age) shall sign a Form A which obligates the student to fulfill the commitment to be made by recipients with the provision that funds received under the terms of this rule shall be repaid according to the terms of this rule if the student defaults on the commitments. The Form A for the Urban Flight and Rural Needs Scholarship is included herein.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 3—Conditions of Provider Participation,
Reimbursement and Procedure of General Applicability**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2007, the division adopts a rule as follows:

13 CSR 70-3.190 Telehealth Services is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2008 (33 MoReg 329-332). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The MO HealthNet Division received one (1) comment on the proposed rule.

COMMENT: The Executive Director of the Missouri Optometric Association suggested the division consider adding Missouri licensed optometrists to the listing of healthcare providers eligible to utilize Telehealth services.

RESPONSE: After review and consultation it has been determined that optometry services are not appropriate for inclusion in Telehealth at this time. No changes to the rule have been made as a result of this comment.

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

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.633, 208.636, 208.643, 208.646, 208.650, 208.655, and 208.657, RSMo 2000 and sections 208.201, 208.631, 208.640, and 208.647, RSMo Supp. 2007, the division amends a rule as follows:

**13 CSR 70-4.080 State Children’s Health Insurance Program
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2008 (33 MoReg 542-544). 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 5—Nonemergency Medical Transportation
(NEMT) Services**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2007, the division amends a rule as follows:

13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2008 (33 MoReg 545). 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15—Hospital Program**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2007, the division amends a rule as follows:

13 CSR 70-15.020 Procedures for Admission Certification, Continued Stay Review and Validation Review of Hospital Admissions is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2008 (33 MoReg 545–548). 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 97—Health Insurance Premium Payment
(HIPP) Program**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.153 and 208.201, RSMo Supp. 2007, the division amends a rule as follows:

13 CSR 70-97.010 Health Insurance Premium Payment (HIPP) Program is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 3, 2008 (33 MoReg 548–550). 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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.015 Fees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 334–337). 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 board received one (1) comment on the proposed amendment.

COMMENT: The Missouri Health Care Association (MHCA) commented on paragraph (1)(C)3. (a new fee for licensees seeking to renew a license that has been placed on inactive status, which would be fifty dollars (\$50)) and subsection (1)(E) (a new fee for licensees seeking inactive status, which would be fifty dollars (\$50)). MHCA said the fiscal note projects no increase in costs for compliance and opposes imposing a fee for someone who may have served for years as a licensed nursing home administrator to obtain an “inactive license” which status requires no or little effort on the part of the board to maintain.

RESPONSE: Effective August 28, 2007, House Bill No. 780 went into effect. The legislation included the enactment of one (1) new section, 344.108, RSMo, which created the inactive licensure status, the requirements for placing a license on inactive status, renewal, and reactivation of that license. Section 344.108, RSMo, section 1., states in part that a licensee may place a license “on inactive status by filing a written signed request . . . , accompanied by . . . a fee as provided by rule” In addition, section (3) states in part that “Licensees seeking to renew shall, . . . file an application for renewal . . . and shall be accompanied by a renewal fee” By placing this language in statute it clearly was the expectation of the legislators that a fee would be attached to these processes. The fee amounts associated with placing a license on inactive and renewing an inactive license have been set at a rate that is reasonable and customary for this profession. We still have the opinion that the fiscal note for the private cost for these two (2) fees is zero dollars (\$0). Specifically, a licensee only has three (3) options at the time the license is about to expire: 1) meet the renewal requirements and pay a fee of one hundred dollars (\$100); 2) meet the requirements for inactive license and pay a fee of fifty dollars (\$50); or 3) allow the license to expire at no cost. While clearly option 2) has a fiscal impact over option 3), administrators truly interested in preserving the license would have to choose option 1) or option 2). Licensees who choose option 2) over option 1) will not incur an increase in their annual cost of compliance. No changes have been made to the rule as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.020 Procedures and Requirements for Licensure of Nursing Home Administrators is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 338). 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 board received two (2) comments on the proposed amendment.

COMMENT #1: The Missouri Assisted Living Association (MALA) commented that in section (3) Assisted Living Administrators should be placed in regulatory language every time the words Nursing Home Administrator are used to describe a licensed individual or the examination/licensure. They also state that administrator licensure should match licensure of facility being approved to work within as a licensed administrator.

RESPONSE: Section (3) does not use the term "Nursing Home Administrator," nor does it address categories of administrator licensure. Section (3) only addresses eligibility for the national examination and is being amended to reflect a change in how candidates register for the national examination. The board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #2: MALA commented that the Application for Licensure referenced in section (1) be modified by adding in Section II Reciprocity Information a question 2. Have you ever applied for an Assisted Living Administrator License in any state? And Section VII 1. Nursing Home Affiliation change to Nursing Home/(Assisted Living) Affiliation.

RESPONSE: The proposed amendment to this rule does not include revisions to the Application for Licensure. The current application is merely being incorporated by reference. The board will take this comment under advisement for future amendment considerations. No changes were made to the Application for Licensure as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 73—Missouri Board of Nursing Home Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.025 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 338). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received four (4) comments on the proposed amendment.

COMMENT #1: Missouri Assisted Living Association (MALA) commented on section (1) and said the words "assisted living" should be added between the words "nursing home" and "administrator."

RESPONSE: Section (1) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #2: MALA commented on subsection (2)(E) and said the words "assisted living" should be added between the words "nursing home" and "administrator."

RESPONSE: This was not the intent of the proposed amendment in section (2). The proposed amendment revises the application fee amount from one hundred dollars (\$100) to one hundred fifty dollars (\$150) and removes the notary requirement from the application and does not address categories of administrator licensure. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #3: MALA commented on section (7) and said the words "assisted living" should be added between the words "nursing home" and "administrator."

RESPONSE: This was not the intent of the proposed amendment in section (7). The proposed amendment adds a reference to a new section of the statute (344.108, RSMo) and does not address categories of administrator licensure. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #4: The board should have filed sections (3), (4), and (6) in order to renumber to (4), (5), and (7). In addition, in the renumbered (7) there is a reference to section (5) that should now be section (6).

RESPONSE AND EXPLANATION OF CHANGE: Sections (3), (4) and (6) have been filed and renumbered.

19 CSR 73-2.025 Licensure by Reciprocity

(4) A reciprocity questionnaire shall be forwarded by the board to the appropriate state nursing home administrator licensure board(s) where the applicant was/is licensed. Upon return of the completed questionnaire to the board office, the information supplied by the licensure board shall be reviewed to determine if—

- (A) The license is current and in good standing; and
- (B) The licensee has/has not been disciplined in that state.

(5) Each case of discipline shall be reviewed by the board to determine if the case for discipline falls within the provisions of section 344.050, RSMo.

(7) If the applicant is unable to meet the requirements of subsection (2)(E) of this rule, but meets all other requirements of section (2), the candidate shall be considered an applicant for initial licensure pursuant to 19 CSR 73-2.020(2)(E). If the results of that evaluation show that the applicant meets the criteria, the board shall accept the applicant's passing of the national examination in another state if it was taken within three (3) years of the applicant's submission for licensure in Missouri. The applicant then must meet the requirements of section (6) of this rule by paying the examination fee and successfully complete the state examination administered by the board. If the applicant does not meet the criteria, the applicant will be required to complete a prescribed course of instruction and training as outlined in 19 CSR 73-2.031.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

**19 CSR 73-2.031 Prescribed Course of Instruction and Training
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 338-339). 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 board received six (6) comments on the proposed amendment.

COMMENT #1: Missouri Assisted Living Association (MALA) commented on section (3) and said the words “assisted living” should be added behind the words “nursing homes” in two (2) places within this section.

RESPONSE: Section (3) was not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #2: MALA commented on section (5) and said the words “assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: This was not the intent of the proposed amendment in section (5) nor does it address categories of administrator licensure. Only subsections (5)(B), (C), and (E) were amended to remove language that is obsolete and to correct the change in facility licensure categories enacted by SB 616, effective August 28, 2006. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #3: MALA commented on subsection (5)(B) and said to delete the words “sixty (60) or more beds” from the requirements as the major fraction of assisted living, residential care facilities are under the sixty (60) beds in licensure in the state which would be prohibitive for persons seeking preceptors in assisted living licensure. They also said the preceptorship in nursing homes is not relative to assisted living administrator licensure; there is a shortage of preceptors now in most areas of the state, and this requirement will limit further accessibility to a preceptor without undue cost and hardship to person(s) seeking licensure.

RESPONSE: This was not the intent of the proposed amendment in subsection (5)(B). The board is proposing to bring the language of the rule in line with the change in residential care facility/assisted living facility licensure categories enacted by SB 616, effective August 28, 2006. In order to do that, the board is proposing to remove the “II” designation associated with residential care facility; add the new category of “assisted living facility (ALF),” and add language that will allow an administrator to apply as a preceptor if s/he is serving in a residential care facility that was licensed as a resident care II on or before August 27, 2006, that continues to meet the licensure standards for a resident care facility II in effect on August 27, 2006. This

rule does not address categories of administrator licensure; therefore, no need to consider “assisted living licensure.” However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #4: MALA commented on subsection (5)(C) and said to delete “sixty (60) or more beds” from the requirements as the major fraction of assisted living, residential care facilities are under the sixty (60) beds in licensure in the state of Missouri which would be prohibitive for persons seeking preceptors in assisting living licensure. They also said the preceptorship in nursing homes is not relative to assisted living administrator licensure; there is a shortage of preceptors now in most areas of the state, and this requirement will limit further accessibility to a preceptor without undue cost and hardship to person(s) seeking licensure.

RESPONSE: Our response to this comment is the same as the response to the preceding comment.

COMMENT #5: MALA commented on subsection (5)(E) and said to add “/Assisted Living Administrators” after the words “Nursing home administrators” and offered to work with the board to prescribe content for an approved Assisted Living Preceptor Course.

RESPONSE: The intent of this proposed amendment is to remove obsolete language from the subsection. This rule does not address categories of administrator licensure; therefore, there is no need for a separate preceptor course for administrators of assisted living facilities. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #6: MALA commented on section (10) and said to delete this section entirely along with subsections (10)(A), (B), and (C). They asked the board to allow hours to be done in appropriate setting to licensure level nursing home for nursing home administrator and assisted living for assisted living administrator so that training is relevant to licensure.

RESPONSE: The board is proposing to bring the language of the rule in line with the change in residential care facility/assisted living facility licensure categories enacted by SB 616, effective August 28, 2006. The rule does allow an applicant for licensure to complete a portion of the internship hours in an assisted living facility or in a residential care facility (“II”). Because there is only one (1) category of administrator licensure, and an applicant must be prepared to work in all levels of care (Skilled Nursing Facility (SNF), Intermediate Care Facility (ICF), Assisted Living Facility (ALF), and Residential Care Facility (RCF) “II”), the practicum experience should include all levels of care, not just the ALF and/or RCF “II”. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under sections 344.040 and 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.050 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 339-340). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received.

COMMENT #1: In the proposed amendment the board missed a revision to subsection (2)(A) that was necessary due to the renumbering of section (5).

RESPONSE AND EXPLANATION OF CHANGE: Subsection (2)(A) has been revised.

19 CSR 73-2.050 Renewal of Licenses

(2) Licenses that expire on June 30, 2007 will be renewed if the licensee:

(A) Files an application for renewal on a form furnished by the board on or before June 15. Information provided in the application shall be attested to by signature to be true and correct to the best of the applicant's knowledge and belief and include an attestation verifying that the licensee has completed at least twenty (20) clock hours of board-approved continuing education, as outlined in 19 CSR 73-2.050(4)(A)-(B), obtained during the current licensure year or carried from the preceding year. A minimum of five (5) clock hours must be in patient-care related offerings, as defined in 19 CSR 73-2.031(2)(A)-(F).

1. Licensees must maintain proof of having completed the number of continuing education hours claimed at the time of renewal.

2. Upon request of the board, make that proof available for audit to verify completion of the number and validity of hours claimed;

**Title 19—DEPARTMENT OF HEALTH AND
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Administrators
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ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.051 Retired Licensure Status is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 341). 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 board received four (4) comments on the proposed amendment.

COMMENT #1: Missouri Assisted Living Association (MALA) commented on sections (1) and (7) and said the words “/assisted living” should be added between the words “nursing home” and “administration” or “administrator” (depending on the section referenced).

RESPONSE: Sections (1) and (7) are not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of these comments.

COMMENT #2: MALA commented on paragraph (2)(C)2. and said the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: This paragraph does not address categories of administrator licensure. There is only one (1) level of licensure and therefore only one (1) nursing home administrator license renewal application. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #3: Missouri Health Care Association (MHCA) commented on subsection (2)(A) and said someone who is retiring from the profession should not have to suffer an increase in the cost for leaving the profession. Once a retired license is issued there is little effort required of the board and, hence little cost, which justifies the fee increase.

RESPONSE: The original rule governing the retired licensure status, which set the fee at twenty-five dollars (\$25), has been in effective since May 30, 2001. The proposed amendment increases the fee to fifty dollars (\$50). We agree that “once a retired license is issued there is little effort of the board.” The fifty dollar (\$50) fee represents a closer reflection of the costs incurred by the board to review, validate, and issue the retired license. We consider the proposed fee amount associated with placing a license on retired status to be reasonable and customary for this profession. We do not believe that a nominal increase of twenty-five dollars (\$25) will create a hardship on our licensees. No changes were made to the proposed amendment as a result of this comment.

COMMENT #4: The board missed the private costs that will occur as a result of the increase in the fee from twenty-five dollars (\$25) to fifty dollars (\$50) to place the license on retired status and the increase in the fee from fifty dollars (\$50) to one hundred dollars (\$100) to reactivate a retired license.

RESPONSE AND EXPLANATION OF CHANGE: The Private Cost Statement has been revised and a revised Private Fiscal Note has been filed.

REVISED PRIVATE COST: *This proposed amendment will cost private entities approximately four hundred forty dollars (\$440) annually versus the less than five hundred dollars (\$500) which was submitted with the proposed amendment.*

**FISCAL NOTE
 PRIVATE COST**

- I. Department Title: 19 – Department of Health and Senior Services
 Division Title: 73 – Board of Nursing Home Administrators
 Chapter Title: 2 - General Rules**

Rule Number and Title:	19 CSR 73-2.051 Retired Licensure Status
Type of Rulemaking:	Order of Rulemaking

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimated increased annual cost of compliance with the amendment by affected entities:
15.6	Licenseses seeking retired licensure status (\$25.00 increase)	\$390.00
1	Licenseses seeking to reactivate a retired license (\$50 increase)	\$50.00
	Estimated Annual Increase Cost of Compliance	\$440.00

III. WORKSHEET

See table above.

IV. ASSUMPTIONS

Figure based upon FY01 to FY 06 actuals and reflects an average of 15.6 licenseses who requested retired licensure status during those years.

It is anticipated that the total cost will recur annually and may vary based upon the number of entities affected, which fluctuates between 11 and 18 (with no pattern of increase/decrease) each fiscal year.

Since the creation of the retired status, we have had less than 1 request for reactivation annually.

NOTE: The board is statutorily obligated to enforce and administer the provisions of Chapter 344, RSMo. Pursuant to Section 344.105, the board shall, by rule, set the amount of fees authorized by Chapter 344, RSMo.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board adopts a rule as follows:

19 CSR 73-2.053 Inactive Licensure Status is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2008 (33 MoReg 341-342). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received three (3) comments on the proposed rule.

COMMENT: Missouri Assisted Living Association commented on sections (1), (8), and (9) and said the words “/assisted living” should be added between the words “nursing home” and “administrator” in the six (6) different references to “nursing home administrator” throughout these sections.

RESPONSE: Sections (1), (8), and (9) do not address categories of administrator licensure. There is only one (1) level of licensure and therefore only one (1) term “nursing home administrator” applies. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed rule as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under sections 344.040 and 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.055 Renewal of Expired License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 342). 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 board received one (1) comment on the proposed amendment.

COMMENT: Missouri Assisted Living Association commented on section (7) and said the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: Section (7) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.060 Registration of Training Agencies and Single Offering Providers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 342-343). 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 board received six (6) comments on the proposed amendment.

COMMENT #1: Missouri Assisted Living Association (MALA) commented on section (1) and subsections (1)(B), (1)(C), and (1)(E) and said the following: the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: This was not the intent of the proposed amendment in section (1) nor does the rule address categories of administrator licensure. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #2: MALA commented on subsection (4)(B) and said the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: Subsection (4)(B) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #3: MALA commented on subsection (4)(C) and said the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: Subsection (4)(C) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

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Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.070 Examination is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 343). 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 board received three (3) comments on the proposed amendment.

COMMENT #1: Missouri Assisted Living Association (MALA) commented that in section (3) Assisted Living Administrators should be placed in regulatory language every time the words Nursing Home Administrator are used to describe a licensed individual or the examination/licensure. They also state that administrator licensure should match licensure of facility being approved to work within as a licensed administrator.

RESPONSE: Section (3) does not use the term “Nursing Home Administrator” nor does it address categories of administrator licensure. Section (3) only addresses the registration procedures for the national examination and is being amended to reflect a change in how candidates register for the national examination. The board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #2: MALA commented on subsection (3)(D) and said this subsection allows for examination for long-term care administrators National Association of Long Term Care Administrator Boards (NAB) that would include both nursing home administrator examination and assisted living administrator exam. Their comment from this point on will be that assisted living administrator will be placed in regulatory language every time the words nursing home administrator is used to describe a licensed individual or the examination/licensure. They maintain that administrator licensure should match licensure of facility being approved to work within as a licensed administrator.

RESPONSE: Subsection (3)(D) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

COMMENT #3: MALA commented on section (6) and said this paragraph applies to nursing home administrator only for federal test. Assisted living administrator would only be required to take the NAB-approved assisted living administrator examination with current passing score as determined by NAB. This would be a state test, not federal, as Assisted Living Facility (ALF) administrators are not regulated by federal regulations.

RESPONSE: Section (6) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

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Division 73—Missouri Board of Nursing Home Administrators
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under sections 344.030.4 and 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.080 Temporary Emergency Licenses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 343–344). 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 board received three (3) comments on the proposed amendment.

COMMENT: Missouri Assisted Living Association commented on section (3) and subsections (4)(B) and (C) and said the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: Sections (3) and (4) are not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 73—Missouri Board of Nursing Home Administrators
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.085 Public Complaints is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 344). 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 board received one (1) comment on the proposed amendment.

COMMENT: Missouri Assisted Living Association commented on section (1) and said the words “/assisted living” should be added between the words “nursing home” and “administrator.”

RESPONSE: Section (1) is not open for comment; therefore, no changes can be considered. However, the board will take this comment under advisement for future amendment considerations. No changes were made to the proposed amendment as a result of this comment.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 73—Missouri Board of Nursing Home Administrators
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.090 Disciplinary Action is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 344-345). 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 board received four (4) comments on the proposed amendment.

COMMENT #1: Missouri Assisted Living Association (MALA) commented on subsection (2)(G) and said they oppose this addition as it will allow disciplinary action of any violation no matter how little impact it will have on the operation of a facility and care of the residents, i.e., failure to post survey results in a public place.

RESPONSE: Subsection (2)(G) is a parallel to section 344.050.2(7), RSMo Supp. 2007. The statute grants authority to the board to discipline a license based upon this provision. No changes were made to the proposed amendment as a result of this comment.

COMMENT #2: MALA commented on subsection (2)(O) and said the proposed addition is not defined as necessary to protect in any manner the residents or to cause any effect upon operation of a long-term care facility. They propose deletion of this subsection.

RESPONSE: Subsection (2)(O) is a parallel to section 344.050.2(15), RSMo Supp. 2007. The statute grants authority to the board to discipline a license based upon this provision. No changes were made to the proposed amendment as a result of this comment.

COMMENT #3: MALA commented on subsection (2)(P) and said to delete the words "any principal" as the language could include anyone on a board such as a physician or private citizen with a license.

RESPONSE: Subsection (2)(P) is a parallel to section 344.050.2(16), RSMo Supp. 2007. The statute grants authority to the board to discipline a license based upon the proposed language within this subsection. No changes were made to the proposed amendment as a result of this comment.

COMMENT #4: Missouri Health Care Association commented on subsection (2)(P) and asked for clarification. Is it the position of the board that a person who is licensed as a nursing home administrator who also happens to be a sole proprietorship operator or the principal of an operator at the time the events described in that section occur would be subject to discipline? They believe that the effect will be to encourage the principals of nursing home operations to discontinue being licensed as nursing home administrators. On the other hand, if the board takes the position that it would have jurisdiction over any individual involved as a principal of a nursing facility that suffers the conditions in subsection (2)(P) regardless of whether they are licensed as a nursing home administrator at the time these events occur or subsequently, it is their position that the board would be exceeding its jurisdiction. Furthermore, the "Private Cost" is not accurately stated regardless of which alternative interpretation the board chooses. If an operator of a sole proprietorship nursing facility is acting as his or her own administrator and the facility enters into a consent agreement regardless of the specific fault of the administrator, the private cost will certainly exceed five hundred dollars (\$500). They strongly recommend the board reevaluate the costs involved in such a situation or even in a situation where an individual is a principal of a corporate entity operating a nursing facility.

RESPONSE: Section 344.050.2, RSMo Supp. 2007 states the board may file a complaint with the administrative hearing commission against any holder of a license required by Chapter 344, RSMo for

any one (1) or any combination of the causes outlined in subsections (1)-(16). Clearly the board's jurisdiction is limited to disciplining administrators, operators, or principals involved in the operation of a facility licensed under Chapter 198, RSMo, if s/he is a nursing home administrator licensed under Chapter 344, RSMo. We disagree that this provision will encourage the principals of nursing home operations who are doing a good job to discontinue being licensed as nursing home administrators. We sustain the private cost as less than five hundred dollars (\$500) in the aggregate based upon the position that the fiscal impact of section 344.050.2(16), RSMo Supp. 2007 is related to the legislation. No changes were made to the proposed amendment as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Nursing Home Administrators under section 344.070, RSMo Supp. 2007, the board amends a rule as follows:

19 CSR 73-2.120 Duplicate License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2008 (33 MoReg 345). 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Landscape Architects
Chapter 4—Applications**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2007, the board rescinds a rule as follows:

**20 CSR 2030-4.050 Criteria to File Application Under 327.391,
RSMo is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on April 1, 2008 (33 MoReg 724). No changes have been made to 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Landscape Architects
Chapter 4—Applications**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2007, the board adopts a rule as follows:

20 CSR 2030-4.050 Criteria to File Application Under 327.391 and 327.392, RSMo is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 1, 2008 (33 MoReg 724-729). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Landscape Architects
Chapter 8—Land Surveying**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2007, the board amends a rule as follows:

20 CSR 2030-8.020 Professional Land Surveyor—Professional Development Units is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2008 (33 MoReg 730-732). No changes have been made to 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Landscape Architects
Chapter 10—Corporations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape

Architects under section 327.041, RSMo Supp. 2007, the board amends a rule as follows:

20 CSR 2030-10.010 Application for Certificate of Authority is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2008 (33 MoReg 733). No changes have been made to 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Landscape Architects
Chapter 11—Renewals**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2007 and section 327.261, RSMo 2000, the board amends a rule as follows:

20 CSR 2030-11.015 Continuing Professional Competency for Professional Engineers is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2008 (33 MoReg 733-735). No changes have been made to 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under section 335.036, RSMo Supp. 2007 and section 335.046, RSMo 2000, the board amends a rule as follows:

20 CSR 2200-4.010 Fees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2008 (33 MoReg 736-738). No changes have been made to 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under sections 335.036(2) and (7), RSMo Supp. 2007 and sections 335.046 and 335.051, RSMo 2000, the board amends a rule as follows:

20 CSR 2200-4.020 Requirements for Licensure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2008 (33 MoReg 739). No changes have been made to 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 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Nursing under sections 335.036 and 335.067, RSMo Supp. 2007, the board adopts a rule as follows:

20 CSR 2200-4.025 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2008 (33 MoReg 644–645). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Nursing under sections 335.036 and 335.067, RSMo Supp. 2007, the board adopts a rule as follows:

20 CSR 2200-4.026 Membership and Organization is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2008 (33 MoReg 645–648). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Nursing under sections 335.036 and 335.067, RSMo Supp. 2007, the board adopts a rule as follows:

**20 CSR 2200-4.027 MNIT Board of Directors/Contractor
Duties is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2008 (33 MoReg 649–650). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Nursing under sections 335.036 and 335.067, RSMo Supp. 2007, the board adopts a rule as follows:

20 CSR 2200-4.028 Confidentiality is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2008 (33 MoReg 650). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Nursing under sections 335.036 and 335.067, RSMo Supp. 2007, the board adopts a rule as follows:

20 CSR 2200-4.029 MNIT Administrator is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 17, 2008 (33

MoReg 650–651). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.020, 338.040, 338.060, 338.070, 338.140, 338.185, and 338.280, RSMo 2000 and sections 338.013, 338.035, and 338.220, RSMo Supp. 2007, the board amends a rule as follows:

20 CSR 2220-4.010 General Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 17, 2008 (33 MoReg 671–676). No changes have been made to 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.

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 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities Review Committee
Chapter 50—Certificate of Need Program**

EXPEDITED APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the expedited application listed below. A decision is tentatively scheduled for July 22, 2008. This application is available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

06/11/08

#4231 NS: Life Care Center of Florissant
Florissant (St. Louis County)
\$16,250,000, Replace 90-bed skilled nursing facility

Any person wishing to request a public hearing for the purpose of commenting on this application must submit a written request to this effect, which must be received by July 14, 2008. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
Post Office Box 570
Jefferson City, MO 65102

For additional information contact
Donna Schuessler, (573) 751-6403.

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 CORPORATION DISSOLUTION

To: All creditors of and claimants against ARCHER CONSTRUCTORS CORP.

On May 5, 2008, ARCHER CONSTRUCTORS CORP., a Missouri corporation, Charter Number **00298512**, was dissolved pursuant to the filing of Articles of Dissolution by the Corporation Division, Missouri Secretary of State

All persons or organizations having claims against ARCHER CONSTRUCTORS CORP., are required to present them immediately in writing to:

Gayle Evans, Attorney at Law
CHINNERY EVANS & NAIL, P.C.
800 NE Vanderbilt Lane
Lee's Summit, MO 64064

Each claim must contain the following information:

1. Name and current address of the claimant.
2. A clear and concise statement of the facts supporting the claim.
3. The date the claim was incurred.
4. The amount of money or alternate relief demanded.

NOTE: CLAIMS AGAINST ARCHER CONSTRUCTORS CORP., WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO YEARS AFTER THE PUBLICATION OF THIS NOTICE.

NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND ALL CLAIMANTS AGAINST GASAWAY & STIENTJES, LLC

On April 28, 2008, Gasaway & Stientjes, LLC filed Notice of Winding Up with the Missouri Secretary of State.

Claims against Gasaway & Stientjes, LLC may be submitted to Robert J. Stientjes, Stientjes & Pliske, LLC, 1120 Olivette Executive Parkway, Suite 220, St. Louis, MO 63132. Claims must include the name, address and telephone number of the claimant; the amount claimed; the date on which the claim arose; basis for the claim; and documentation of claim.

All claims against Gasaway & Stientjes, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST The Carnahan Group, LLC, a Missouri limited liability company.

On May 14, 2008, The Carnahan Group, LLC, a Missouri limited liability company, filed its Articles of Termination with the Missouri Secretary of State. Termination was effective on May 14, 2008.

Said Company requests that all persons and organizations with claims against it present them immediately by letter to the Company at Bryan Cave, LLP Attention: Suzanne Rodekohr, 1200 Main Street, Suite 3500, Kansas City, Missouri, 64105. 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 dissolution of The Carnahan Group, LLC any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication date of the notice authorized by statute.

NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST AREYOU ENTERPRISES, L.L.C.

On February 4, 2008, AREYOU Enterprises, L.L.C., a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company in the care of Mark S. Johnson, Johnson & Schneider, L.L.C., 212 North Main Street, Cape Girardeau, Missouri 63701. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against AREYOU Enterprises, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
CANNON HOLDINGS, LLC
PURSUANT TO R.S.Mo. § 347.141**

On May 7, 2008, Cannon Holdings, LLC filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Notice was effective on the filing date. All persons and organizations with claims against the limited liability company should submit in writing in accordance with the following procedure: (i) Claimant's name, address and telephone number; (ii) Amount of the claim; (iii) Date the claim accrued; (iv) Basis for the claim; (v) Documentation of the claim. The claim must be mailed to: Cannon Holdings, LLC, c/o Carrie F. Keller, Esq., 515 N. 6th Street, Suite 2400, St. Louis, MO 63101. A claim against the limited liability company will be barred unless a proceeding to enforce a claim is commenced within three years after the publication of notice.

**NOTICE TO THE UNKNOWN CREDITORS
OF
CT PARTNERS, LLC**

You are hereby notified that on May 30, 2008, CT Partners, LLC, a Missouri limited liability company (the "Company"), the principal office of which is located in St. Louis (City/County), Missouri, filed a Notice of Winding Up with the Secretary of State of Missouri.

In order to file a claim with the Company, you must furnish the amount and the basis for the claim and provide all necessary documentation supporting this claim. All claims must be mailed to:

1225 Tri-State Parkway
Suite 510
Gurnee, IL 60031-9163

A claim against CT Partners, LLC will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
WEST COUNTY RADIOSURGERY PHYSICIANS GROUP, LLC**

On May 14, 2008, West County Radiosurgery Physicians Group, LLC, a Missouri limited liability company, filed its Notice of Winding Up for limited liability company with the Missouri Secretary of State, effective on the filing date. Dissolution was effective May 14, 2008

Said company requests that all persons and organizations who have claims against it present them immediately by letter to the company in the care of R. Troy Kendrick, Jr., Esq., Stinson Morrison Hecker LLP, 168 N. Meramec Avenue, Suite 400, St. Louis, Missouri 63105. All claims must include the name, address and telephone number of the claimant; the amount of the claim; the basis for the claim; the date on which the claim arose; and documentation for the claim.

All claims against West County Radiosurgery Physicians Group, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

Rule Changes Since Update to Code of State Regulations

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 10-9.010	Commissioner of Administration		33 MoReg 407	33 MoReg 1087	
1 CSR 10-11.010	Commissioner of Administration		33 MoReg 5R 33 MoReg 5	33 MoReg 989R 33 MoReg 989	
1 CSR 10-11.020	Commissioner of Administration		33 MoReg 7	33 MoReg 990	
1 CSR 10-11.030	Commissioner of Administration		33 MoReg 7	33 MoReg 1087	
1 CSR 30-2.010	Division of Facilities Management, Design and Construction		32 MoReg 2467R	33 MoReg 990R	
1 CSR 30-2.020	Division of Facilities Management, Design and Construction		32 MoReg 2467R 32 MoReg 2468	33 MoReg 991R 33 MoReg 991	
1 CSR 30-2.030	Division of Facilities Management, Design and Construction		32 MoReg 2468R 32 MoReg 2469	33 MoReg 991R 33 MoReg 991	
1 CSR 30-2.040	Division of Facilities Management, Design and Construction		32 MoReg 2470R 32 MoReg 2470	33 MoReg 991R 33 MoReg 991	
1 CSR 30-2.050	Division of Facilities Management, Design and Construction		32 MoReg 2473R 32 MoReg 2473	33 MoReg 992R 33 MoReg 992	
1 CSR 30-3.010	Division of Facilities Management, Design and Construction		32 MoReg 2473R 32 MoReg 2473	33 MoReg 992R 33 MoReg 992	
1 CSR 30-3.020	Division of Facilities Management, Design and Construction		32 MoReg 2474R 32 MoReg 2474	33 MoReg 992R 33 MoReg 993	
1 CSR 30-3.025	Division of Facilities Management, Design and Construction		32 MoReg 2476	33 MoReg 993	
1 CSR 30-3.030	Division of Facilities Management, Design and Construction		32 MoReg 2480R 32 MoReg 2481	33 MoReg 993R 33 MoReg 994	
1 CSR 30-3.035	Division of Facilities Management, Design and Construction		32 MoReg 2483	33 MoReg 994	
1 CSR 30-3.040	Division of Facilities Management, Design and Construction		32 MoReg 2484R 32 MoReg 2484	33 MoReg 995R 33 MoReg 995	
1 CSR 30-3.050	Division of Facilities Management, Design and Construction		32 MoReg 2487R 32 MoReg 2487	33 MoReg 995R 33 MoReg 995	
1 CSR 30-3.060	Division of Facilities Management, Design and Construction		32 MoReg 2488R 32 MoReg 2488	33 MoReg 996R 33 MoReg 996	
1 CSR 30-4.010	Division of Facilities Management, Design and Construction		32 MoReg 2489R 32 MoReg 2490	33 MoReg 996R 33 MoReg 996	
1 CSR 30-4.020	Division of Facilities Management, Design and Construction		32 MoReg 2490R 32 MoReg 2490	33 MoReg 996R 33 MoReg 996	
1 CSR 30-4.030	Division of Facilities Management, Design and Construction		32 MoReg 2492R 32 MoReg 2492	33 MoReg 997R 33 MoReg 997	
1 CSR 30-4.040	Division of Facilities Management, Design and Construction		32 MoReg 2493R 32 MoReg 2493	33 MoReg 997R 33 MoReg 997	
1 CSR 30-5.010	Division of Facilities Management, Design and Construction		32 MoReg 2495R 32 MoReg 2495	33 MoReg 997R 33 MoReg 998	
1 CSR 70-1.010	Missouri Assistive Technology Advisory Council (<i>Changed to 5 CSR 110-1.010</i>)		33 MoReg 194	33 MoReg 1089	
1 CSR 70-1.020	Missouri Assistive Technology Advisory Council (<i>Changed to 5 CSR 110-1.020</i>)		33 MoReg 197	33 MoReg 1090	
DEPARTMENT OF AGRICULTURE					
2 CSR 30-1.020	Animal Health				This Issue

Rule Number	Agency	Emergency	Proposed	Order	In Addition
2 CSR 30-2.040	Animal Health		33 MoReg 717		
2 CSR 70-40.015	Plant Industries		33 MoReg 627		
2 CSR 70-40.017	Plant Industries		33 MoReg 628		
2 CSR 70-40.025	Plant Industries		33 MoReg 628		
2 CSR 70-40.040	Plant Industries		33 MoReg 629		
2 CSR 70-40.055	Plant Industries		33 MoReg 630R		
2 CSR 90-10	Weight and Measures				33 MoReg 1193
2 CSR 90-30.040	Weights and Measures	33 MoReg 399			
2 CSR 110-2.010	Office of the Director		32 MoReg 1909		
2 CSR 110-3.010	Office of the Director	33 MoReg 311	32 MoReg 1170	33 MoReg 101	
DEPARTMENT OF CONSERVATION					
3 CSR 10-1.010	Conservation Commission		33 MoReg 1073		
3 CSR 10-5.205	Conservation Commission		33 MoReg 907		
3 CSR 10-5.220	Conservation Commission		33 MoReg 907		
3 CSR 10-7.432	Conservation Commission		N.A.	33 MoReg 1087	
3 CSR 10-7.433	Conservation Commission		N.A.	33 MoReg 1088	
3 CSR 10-7.435	Conservation Commission		N.A.	33 MoReg 1088	
3 CSR 10-7.437	Conservation Commission		N.A.	33 MoReg 1088	
3 CSR 10-7.455	Conservation Commission		N.A.	33 MoReg 261	33 MoReg 276
3 CSR 10-11.180	Conservation Commission		32 MoReg 2143	33 MoReg 263	33 MoReg 685
3 CSR 10-12.109	Conservation Commission		33 MoReg 1075		
3 CSR 10-12.135	Conservation Commission		33 MoReg 1075		
3 CSR 10-12.140	Conservation Commission		33 MoReg 1076		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 240-3.162	Public Service Commission		32 MoReg 2340	33 MoReg 998	
4 CSR 240-18.010	Public Service Commission		33 MoReg 1133		
4 CSR 240-20.091	Public Service Commission		32 MoReg 2354	33 MoReg 1009	
4 CSR 240-23.010	Public Service Commission		33 MoReg 407	33 MoReg 1173	
4 CSR 240-23.020	Public Service Commission		33 MoReg 8	33 MoReg 930	
4 CSR 240-23.030	Public Service Commission		33 MoReg 18	33 MoReg 930	
4 CSR 240-31.050	Public Service Commission		33 MoReg 26	33 MoReg 931	
4 CSR 240-33.160	Public Service Commission		33 MoReg 522		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 50-270.010	Division of School Improvement		33 MoReg 436	This Issue	
5 CSR 50-320.010	Division of School Improvement		33 MoReg 30R	33 MoReg 932R	
5 CSR 50-340.050	Division of School Improvement		33 MoReg 439	This Issue	
5 CSR 60-100.020	Division of Career Education		33 MoReg 30	33 MoReg 932	
5 CSR 60-120.010	Division of Career Education		N.A.	33 MoReg 1179	
5 CSR 80-631.010	Teacher Quality and Urban Education		33 MoReg 1076R		
5 CSR 80-800.200	Teacher Quality and Urban Education		33 MoReg 525		
5 CSR 80-800.220	Teacher Quality and Urban Education		33 MoReg 526		
5 CSR 80-800.230	Teacher Quality and Urban Education		33 MoReg 526		
5 CSR 80-800.260	Teacher Quality and Urban Education		33 MoReg 527		
5 CSR 80-800.270	Teacher Quality and Urban Education		33 MoReg 527		
5 CSR 80-800.280	Teacher Quality and Urban Education		33 MoReg 527		
5 CSR 80-800.285	Teacher Quality and Urban Education		33 MoReg 974		
5 CSR 80-800.350	Teacher Quality and Urban Education		33 MoReg 528		
5 CSR 80-800.360	Teacher Quality and Urban Education		33 MoReg 528		
5 CSR 80-800.380	Teacher Quality and Urban Education		33 MoReg 529		
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5 CSR 80-860.050	Teacher Quality and Urban Education		33 MoReg 535	This Issue	
5 CSR 100-200.170	Missouri Commission for the Deaf and Hard of Hearing	33 MoReg 312	33 MoReg 323	33 MoReg 1019	
5 CSR 110-1.010	Missouri Assistive Technology Advisory Council <i>(Changed from 1 CSR 70-1.010)</i>		33 MoReg 194	33 MoReg 1089	
5 CSR 110-1.020	Missouri Assistive Technology Advisory Council <i>(Changed from 1 CSR 70-1.020)</i>		33 MoReg 197	33 MoReg 1090	
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10 CSR 10-2.150	Air Conservation Commission		33 MoReg 1077R		
10 CSR 10-4.140	Air Conservation Commission		33 MoReg 1077R		
10 CSR 10-5.250	Air Conservation Commission		33 MoReg 1077R		
10 CSR 10-6.020	Air Conservation Commission		33 MoReg 630		
10 CSR 10-6.070	Air Conservation Commission		33 MoReg 908		
10 CSR 10-6.075	Air Conservation Commission		33 MoReg 909		
10 CSR 10-6.080	Air Conservation Commission		33 MoReg 910		
10 CSR 10-6.110	Air Conservation Commission		This Issue		
10 CSR 10-6.220	Air Conservation Commission		33 MoReg 643		
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10 CSR 20-6.010	Clean Water Commission		33 MoReg 1134		
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10 CSR 140-2	Division of Energy				33 MoReg 1103 33 MoReg 1193
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11 CSR 40-7.010	Division of Fire Safety	33 MoReg 967	33 MoReg 976		
11 CSR 45-4.050	Missouri Gaming Commission		33 MoReg 41R	33 MoReg 1181	
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12 CSR 10-26.010	Director of Revenue		33 MoReg 1153		
12 CSR 10-26.020	Director of Revenue		33 MoReg 324	33 MoReg 1019	
12 CSR 10-26.040	Director of Revenue		33 MoReg 1157		
12 CSR 10-26.060	Director of Revenue		33 MoReg 324	33 MoReg 1019	
12 CSR 10-26.210	Director of Revenue		33 MoReg 1157		
12 CSR 10-41.010	Director of Revenue	32 MoReg 2327	32 MoReg 2367	33 MoReg 681	
12 CSR 30-1.010	State Tax Commission		33 MoReg 325	33 MoReg 1019	
12 CSR 30-1.020	State Tax Commission		33 MoReg 325	33 MoReg 1019	
12 CSR 30-2.021	State Tax Commission		33 MoReg 326	33 MoReg 1020	
12 CSR 30-3.010	State Tax Commission		33 MoReg 326	33 MoReg 1020	
12 CSR 30-4.010	State Tax Commission		33 MoReg 327	33 MoReg 1020	
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13 CSR 70-3.100	Division of Medical Services		33 MoReg 328	33 MoReg 1020	
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13 CSR 70-3.190	Division of Medical Services		33 MoReg 329	This Issue	
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13 CSR 70-30.010	MO HealthNet Division		This Issue		
13 CSR 70-45.010	MO HealthNet Division		33 MoReg 789		
13 CSR 70-92.010	Division of Medical Services		33 MoReg 213	33 MoReg 1091	
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16 CSR 20-2.015	Missouri Local Government Employees' Retirement System (LAGERS)		33 MoReg 724		
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19 CSR 30-86.045	Division of Regulation and Licensure		33 MoReg 829		
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20 CSR	Sovereign Immunity Limits				30 MoReg 108 30 MoReg 2587 31 MoReg 2019 33 MoReg 150
20 CSR	State Legal Expense Fund Cap				32 MoReg 668 33 MoReg 150
20 CSR 100-1.010	Insurer Conduct		32 MoReg 2381	33 MoReg 1091	
20 CSR 100-1.020	Insurer Conduct		32 MoReg 2382	33 MoReg 1091	
20 CSR 100-1.040	Insurer Conduct		32 MoReg 2382R	33 MoReg 1091R	
20 CSR 100-1.050	Insurer Conduct		32 MoReg 2382	33 MoReg 1092	
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20 CSR 100-6.100	Insurer Conduct		32 MoReg 2389	33 MoReg 1094	
20 CSR 100-7.002	Insurer Conduct		33 MoReg 915		
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20 CSR 100-7.010	Insurer Conduct		32 MoReg 2390	33 MoReg 1094	
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20 CSR 100-8.010	Insurer Conduct		32 MoReg 2390	33 MoReg 1095	
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20 CSR 100-8.018	Insurer Conduct		33 MoReg 922		
20 CSR 100-8.020	Insurer Conduct		32 MoReg 2390	33 MoReg 1095	
20 CSR 100-8.040	Insurer Conduct		32 MoReg 2391	33 MoReg 1095	
20 CSR 200-6.100	Insurance Solvency and Company Regulation		33 MoReg 1163		
20 CSR 200-18.010	Insurance Solvency and Company Regulation		33 MoReg 557		
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20 CSR 200-18.110	Insurance Solvency and Company Regulation		33 MoReg 559		
20 CSR 200-18.120	Insurance Solvency and Company Regulation		33 MoReg 561		
20 CSR 200-19.020	Insurance Solvency and Company Regulation		32 MoReg 2393	33 MoReg 1021	
20 CSR 200-19.050	Insurance Solvency and Company Regulation		32 MoReg 2394	33 MoReg 1021	
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20 CSR 400-4.110	Life, Annuities and Health		32 MoReg 2532	33 MoReg 1098	
20 CSR 400-4.120	Life, Annuities and Health		32 MoReg 2535	33 MoReg 1100	
20 CSR 400-5.305	Life, Annuities and Health		32 MoReg 2537	33 MoReg 1024	
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20 CSR 500-7.030	Property and Casualty	33 MoReg 507	33 MoReg 563		
20 CSR 500-7.050	Property and Casualty	33 MoReg 508	33 MoReg 563		
20 CSR 500-7.060	Property and Casualty	33 MoReg 509	33 MoReg 566		
20 CSR 500-7.070	Property and Casualty	33 MoReg 510	33 MoReg 566		
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20 CSR 500-7.100	Property and Casualty	33 MoReg 511	33 MoReg 567		
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20 CSR 700-1.010	Insurance Licensing		33 MoReg 72	33 MoReg 1182	
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20 CSR 700-1.020	Insurance Licensing		33 MoReg 76	33 MoReg 1182	
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20 CSR 700-1.030	Insurance Licensing		33 MoReg 77R	33 MoReg 1183R	
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20 CSR 700-1.140	Insurance Licensing		33 MoReg 80	33 MoReg 1184	
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20 CSR 700-1.146	Insurance Licensing		33 MoReg 82	33 MoReg 1185	
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20 CSR 700-3.200	Insurance Licensing		33 MoReg 94	33 MoReg 1190	
20 CSR 700-4.100	Insurance Licensing		33 MoReg 96	33 MoReg 1190	
20 CSR 700-6.100	Insurance Licensing		33 MoReg 96	33 MoReg 1191	
20 CSR 700-6.150	Insurance Licensing		33 MoReg 97	33 MoReg 1191	
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20 CSR 2030-8.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		33 MoReg 730	This Issue	
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20 CSR 2030-11.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		33 MoReg 733	This Issue	
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20 CSR 2150-2.063	State Board of Registration for the Healing Arts		33 MoReg 221	33 MoReg 1025	
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20 CSR 2150-3.150	State Board of Registration for the Healing Arts		33 MoReg 225	33 MoReg 1027	
20 CSR 2150-3.180	State Board of Registration for the Healing Arts		33 MoReg 225	33 MoReg 1027	
20 CSR 2150-3.201	State Board of Registration for the Healing Arts		33 MoReg 226	33 MoReg 1027	
20 CSR 2150-3.202	State Board of Registration for the Healing Arts		33 MoReg 226	33 MoReg 1027	
20 CSR 2150-4.030	State Board of Registration for the Healing Arts		33 MoReg 227	33 MoReg 932	
20 CSR 2150-4.040	State Board of Registration for the Healing Arts		33 MoReg 227	33 MoReg 932	
20 CSR 2150-4.054	State Board of Registration for the Healing Arts		33 MoReg 228	33 MoReg 933	
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20 CSR 2150-4.080	State Board of Registration for the Healing Arts		33 MoReg 926		
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20 CSR 2150-4.201	State Board of Registration for the Healing Arts		33 MoReg 229	33 MoReg 933	
20 CSR 2150-5.100	State Board of Registration for the Healing Arts		33 MoReg 229	33 MoReg 1028	
20 CSR 2150-6.050	State Board of Registration for the Healing Arts		33 MoReg 230	33 MoReg 933	
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20 CSR 2150-6.066	State Board of Registration for the Healing Arts		33 MoReg 235	33 MoReg 934	
20 CSR 2150-7.122	State Board of Registration for the Healing Arts		33 MoReg 239	33 MoReg 1028	
20 CSR 2150-7.137	State Board of Registration for the Healing Arts		33 MoReg 1167		
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20 CSR 2150-9.030	State Board of Registration for the Healing Arts		33 MoReg 240	33 MoReg 1028	
20 CSR 2150-9.060	State Board of Registration for the Healing Arts		33 MoReg 240	33 MoReg 1028	
20 CSR 2150-9.070	State Board of Registration for the Healing Arts		33 MoReg 241	33 MoReg 1029	
20 CSR 2150-9.090	State Board of Registration for the Healing Arts		33 MoReg 241	33 MoReg 1029	
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20 CSR 2200-4.029	State Board of Nursing		33 MoReg 650	This Issue	
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20 CSR 2210-2.050	State Board of Optometry		33 MoReg 247	33 MoReg 935	
20 CSR 2210-2.060	State Board of Optometry		33 MoReg 247	33 MoReg 935	
20 CSR 2210-2.070	State Board of Optometry		33 MoReg 248	33 MoReg 935	
20 CSR 2210-2.080	State Board of Optometry		33 MoReg 1085		
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20 CSR 2220-2.036	State Board of Pharmacy		33 MoReg 658		
20 CSR 2220-2.120	State Board of Pharmacy		33 MoReg 658		
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20 CSR 2220-6.040	State Board of Pharmacy		33 MoReg 1086		
20 CSR 2231-1.010	Division of Professional Registration	33 MoReg 1069	33 MoReg 251R	33 MoReg 935R	
			33 MoReg 251	33 MoReg 936	
20 CSR 2231-2.010	Division of Professional Registration		33 MoReg 252	33 MoReg 936	
20 CSR 2232-1.020	Missouri State Committee of Interpreters		This Issue		
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20 CSR 2245-3.010	Real Estate Appraisers		33 MoReg 927		
20 CSR 2245-6.040	Real Estate Appraisers		33 MoReg 927		
20 CSR 2245-8.010	Real Estate Appraisers		33 MoReg 928		
20 CSR 2245-8.030	Real Estate Appraisers		33 MoReg 928		
20 CSR 2267-2.010	Office of Tattooing, Body Piercing and Branding		33 MoReg 985		
20 CSR 2267-2.020	Office of Tattooing, Body Piercing and Branding		33 MoReg 1168R		
			33 MoReg 1169		
20 CSR 2270-4.031	Missouri Veterinary Medical Board		33 MoReg 929		
20 CSR 2270-4.041	Missouri Veterinary Medical Board		33 MoReg 929		
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22 CSR 10-2.010	Health Care Plan	33 MoReg 314	33 MoReg 345	33 MoReg 1029	
22 CSR 10-2.020	Health Care Plan	33 MoReg 314	33 MoReg 346	33 MoReg 1029	
22 CSR 10-3.010	Health Care Plan	33 MoReg 315	33 MoReg 346	33 MoReg 1029	
22 CSR 10-3.020	Health Care Plan	33 MoReg 315	33 MoReg 347	33 MoReg 1030	

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Weights and Measures			
2 CSR 90-30.040	Quality Standards for Motor Fuels33 MoReg 399	Jan. 14, 2008	July 11, 2008
Department of Public Safety			
Division of Fire Safety			
11 CSR 40-7.010	Blasting-Licensing, Registration, Notification, Requirements, and Penalties33 Moreg 967	July 1, 2008	Jan. 1, 2009
Department of Social Services			
MO HealthNet Division			
13 CSR 70-3.170	Medicaid Managed Care Organization Reimbursement AllowanceAugust 1, 2008 Issue	July 1, 2008	Dec. 28, 2008
13 CSR 70-10.030	Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR ServicesAugust 1, 2008 Issue	July 1, 2008	Dec. 28, 2008
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement MethodologyAugust 1, 2008 Issue	July 1, 2008	Dec. 28, 2008
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)August 1, 2008 Issue	July 1, 2008	Dec. 28, 2008
Department of Insurance, Financial Institutions and Professional Registration			
Property and Casualty			
20 CSR 500-7.020	Scope and Definitions33 MoReg 507	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.030	General Instructions33 MoReg 507	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.050	Disclosure of Premiums and Charges33 MoReg 508	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.060	Disclosure of Coverage Limitation33 MoReg 509	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.070	Affiliated Business Arrangements33 MoReg 510	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.090	Special Circumstances for Policy Delay33 MoReg 510	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.100	Rate Schedules33 MoReg 511	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.130	Insurance and Closing Protection Form Filings33 MoReg 514	Jan. 28, 2008	July 25, 2008
20 CSR 500-7.200	Standards For Policy Issuance33 MoReg 515	Jan. 28, 2008	July 25, 2008
Insurance Licensing			
20 CSR 700-8.100	Applications for License33 MoReg 519	Jan. 28, 2008	July 25, 2008
20 CSR 700-8.150	Examination Requirements33 MoReg 520	Jan. 28, 2008	July 25, 2008
20 CSR 700-8.160	Continuing Education33 MoReg 521	Jan. 28, 2008	July 25, 2008
State Board of Pharmacy			
20 CSR 2220-6.040	Administration by Medical Prescription Order33 MoReg 1069	May 11, 2008	Feb. 18, 2009

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<u>2008</u>			
08-01	Establishes the post of Missouri Poet Laureate	January 8, 2008	33 MoReg 401
08-02	Activates the Missouri State Emergency Operations Plan in the aftermath of severe weather that began on January 7, 2008	January 11, 2008	33 MoReg 403
08-03	Activates the state militia in response to the aftermath of severe storms that began on January 7, 2008	January 11, 2008	33 MoReg 405
08-04	Transfers authority of the sexual assault evidentiary kit and exam payment program from the Department of Health and Senior Services to Department of Public Safety by Type 1 transfer	February 6, 2008	33 MoReg 619
08-05	Extends Executive Orders, 07-34, 07-36 and 07-39 through March 15, 2008 for the purpose of continuing the cleanup efforts in affected communities	February 11, 2008	33 MoReg 621
08-06	Orders and directs the Adjutant General of the state of Missouri, or his designee, to call and order forthwith 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	February 12, 2008	33 MoReg 623
08-07	Declares that a state of emergency exists in the state of Missouri.	February 12, 2008	33 MoReg 625
08-08	Gives Department of Natural Resources authority to suspend regulations in the aftermath of severe weather that began on February 10, 2008	February 20, 2008	33 MoReg 715
08-09	Establishes the Missouri Civil War Sesquicentennial Commission	March 6, 2008	33 MoReg 783
08-10	Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated	March 18, 2008	33 MoReg 895
08-11	Calls organized militia into active service	March 18, 2008	33 MoReg 897
08-12	Authorizes the Department of Natural Resources to temporarily waive or suspend rules during the period of the emergency	March 21, 2008	33 MoReg 899
08-13	Expands the number of state employees allowed to participate in the Missouri Mentor Initiative	March 27, 2008	33 MoReg 901
08-14	Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated	April 1, 2008	33 MoReg 903
08-15	Calls organized militia into active service	April 1, 2008	33 MoReg 905
08-17	Extends the declaration of emergency contained in Executive Order 08-14 and the terms of Executive Order 08-15	April 29, 2008	33 MoReg 1071
08-18	Authorizes the Department of Natural Resources to temporarily waive or suspend rules during the period of the emergency	May 13, 2008	33 MoReg 1131
08-19	Orders and directs the Adjutant General of the state of Missouri, or his designee, to call and order forthwith 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	June 11, 2008	Next Issue
08-20	Declares a state of emergency exists and directs the Missouri State Emergency Operations Plan be activated	June 11, 2008	Next Issue
<u>2007</u>			
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

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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
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	32 MoReg 2035
07-28	The Executive Order denoted 05-16 is hereby rescinded	September 10, 2007	32 MoReg 2037
07-29	Amends the membership and the duties of the Governor's Advisory Council on Aging	September 17, 2007	32 MoReg 2038
07-30	Lists members of staff having supervisory authority over departments, divisions or agencies	September 13, 2007	32 MoReg 2041

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07-31	Creates the Rural High-Speed Internet Access Task Force to deal with the lack of high-speed Internet access in rural Missouri communities	October 10, 2007	32 MoReg 2217
07-32	Declares that state offices will be closed on Friday, November 23, 2007	October 23, 2007	32 MoReg 2339
07-33	Declares that state offices will be closed on Monday December 24, 2007	December 4, 2007	33 MoReg 185
07-34	Declares a state of emergency and directs the Missouri State Emergency Operations Plan to be activated due to severe weather that began on December 8, 2007	December 9, 2007	33 MoReg 186
07-35	Activates the state militia in response to the aftermath of severe storms that began on December 8, 2007	December 9, 2007	33 MoReg 188
07-36	Gives the director of the Department of Natural Resources the authority to suspend regulations in the aftermath of severe weather that began on December 8, 2007	December 10, 2007	33 MoReg 190
Emergency Declaration	Declares an emergency concerning damage to and danger of the Jefferson Street Overpass, also known as State Bridge No. A1308, in Jefferson City and directs the Emergency Declaration to continue until the overpass has been removed and replaced	December 10, 2007	33 MoReg 192
07-37	Designates members of staff with supervisory authority over selected state agencies	December 26, 2007	33 MoReg 317
07-38	Extends Executive Order 07-01 through January 1, 2009	December 29, 2007	33 MoReg 319
07-39	Extends Executive Orders 07-34 and 07-36 through February 15, 2008	December 28, 2007	33 MoReg 321

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