

**T**his 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*.

**T**he 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 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: Seasons, Methods,  
Limits**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule of the Department of Conservation as follows:

3 CSR 10-7.440 is amended.

This amendment establishes hunting seasons and limits and is excepted by section 536.021, RSMo, from the requirement for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.440 by establishing seasons and limits for hunting migratory waterfowl during the 2010–2011 seasons.

**3 CSR 10-7.440 Migratory Game Birds and Waterfowl: Seasons, Limits**

(3) Seasons and limits are as follows:

(F) Waterfowl Zones. The North Zone shall be that portion of the state north of a line running west from the Illinois border at Lock and Dam 25; west on Lincoln County Hwy. N to Mo. Hwy. 79; south on Mo. Hwy. 79 to Mo. Hwy. 47; west on Mo. Hwy. 47 to Interstate Hwy. 70; west on Interstate Hwy. 70 to the Kansas border. The South Zone shall be that portion of Missouri south of a line running west from the Illinois border on Mo. Hwy. 34 to Interstate Hwy. 55; south

on Interstate Hwy. 55 to U.S. Hwy. 62; west on U.S. Hwy. 62 to Mo. Hwy. 53; north on Mo. Hwy. 53 to Mo. Hwy. 51; north on Mo. Hwy. 51 to U.S. Hwy. 60; west on U.S. Hwy. 60 to Mo. Hwy. 21; north on Mo. Hwy. 21 to Mo. Hwy. 72; west on Mo. Hwy. 72 to Mo. Hwy. 32; west on Mo. Hwy. 32 to U.S. Hwy. 65; north on U.S. Hwy. 65 to U.S. Hwy. 54; west on U.S. Hwy. 54 to the Kansas border. The Middle Zone shall be the remainder of Missouri.

(G) Ducks and coots may be taken from one-half (1/2) hour before sunrise to sunset as follows:

1. Ducks and coots may be taken from October 30, 2010, through December 28, 2010, in the North Zone, from November 6, 2010, through January 4, 2011, in the Middle Zone, and from November 25, 2010, through January 23, 2011, in the South Zone.

2. Duck and coot limits are as follows: The daily bag limit of ducks is six (6) and may include no more than four (4) mallards (no more than two (2) of which may be female), three (3) wood ducks, two (2) redheads, two (2) hooded mergansers, two (2) scaup, two (2) pintails, one (1) mottled duck, one (1) canvasback, and one (1) black duck. The possession limit is twelve (12), including no more than eight (8) mallards (no more than four (4) of which may be female), six (6) wood ducks, four (4) redheads, four (4) hooded mergansers, four (4) scaup, four (4) pintails, two (2) mottled ducks, two (2) canvasbacks, and two (2) black ducks. The daily limit of coots is fifteen (15) and the possession limit for coots is thirty (30).

(H) Geese may be taken from one-half (1/2) hour before sunrise to sunset as follows:

1. Blue, snow, and Ross's geese may be taken from October 30, 2010, through January 31, 2011, statewide.

2. White-fronted geese may be taken from November 25, 2010, through January 31, 2011, statewide.

3. Canada geese and brant may be taken from October 2, 2010, through October 10, 2010, and November 25, 2010, through January 31, 2011, statewide.

4. Goose limits—The daily bag limit is three (3) Canada geese, twenty (20) blue, snow, or Ross's geese, two (2) white-fronted geese, and one (1) brant, statewide. The possession limit is six (6) Canada geese, four (4) white-fronted geese, and two (2) brant. There is no possession limit for blue, snow, and Ross's geese.

(I) Ducks, geese, brant, and coots may be taken by youth hunters fifteen (15) years of age or younger from October 23, 2010, through October 24, 2010, in the North Zone, from October 23, 2010, through October 24, 2010, in the Middle Zone, and from November 20, 2010, through November 21, 2010, in the South Zone. The daily and possession limits for ducks, geese, and coots are the same as during the regular duck, goose, and coot hunting seasons. Any person fifteen (15) years or younger may participate in the youth waterfowl hunting days without permit provided they are in the immediate presence of an adult eighteen (18) years of age or older. If the youth hunter does not possess a hunter education certificate card, the adult must be properly licensed (i.e., must meet any permit requirements that allows small game hunting) and have in his/her possession a valid hunter education certificate card unless they were born before January 1, 1967. The adult may not hunt ducks but may participate in other seasons that are open on the special youth days.

(J) Shells possessed or used while hunting waterfowl and coots statewide, and for other wildlife as designated by posting on public areas, must be loaded with material approved as nontoxic by the United States Fish and Wildlife Service.

(K) Persons who possess a valid Conservation Order permit may chase, pursue, and take blue, snow, and Ross's geese from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset from February 1, 2011, through April 30, 2011. Any other regulation notwithstanding, methods for the taking of blue, snow, and Ross's geese include using shotguns capable of holding more than three (3) shells, and with the use or aid of recorded or electrically amplified bird calls or sounds, or recorded or electrically amplified imitations

of bird calls or sounds. An exception to the above permit requirement includes any person fifteen (15) years of age or younger, provided either 1) s/he is in the immediate presence of a properly licensed adult (must possess a Conservation Order permit) who is eighteen (18) years of age or older and has in his/her possession a valid hunter education certificate card, or was born before January 1, 1967, or 2) s/he possesses a valid hunter education certificate card. A daily bag limit will not be in effect February 1, 2011, through April 30, 2011 (See 3 CSR 10-5.436 and 3 CSR 10-5.567 for Conservation Order permit requirements).

(L) Migratory birds may be taken by hunters with birds of prey as follows: (See 3 CSR 10-9.442 for additional provisions about falconry including season lengths and limits for wildlife other than migratory birds. See 3 CSR 10-9.440 for falconry permit requirements).

1. Doves may be taken from September 1 to December 16 from one-half (1/2) hour before sunrise to sunset. Daily limit: three (3) doves; possession limit: six (6) doves, except that any waterfowl taken by falconers must be included within these limits.

2. Ducks, mergansers, and coots may be taken from sunrise to sunset from September 11, 2010, through September 26, 2010, statewide, and from one-half (1/2) hour before sunrise to sunset as follows: in the North Zone, October 23, 2010, through October 24, 2010, October 30, 2010, through December 28, 2010, and February 10, 2011, through March 10, 2011; in the Middle Zone, October 23, 2010, through October 24, 2010, November 6, 2010, through January 4, 2011, and February 10, 2011, through March 10, 2011; and, in the South Zone, November 20, 2010, through November 21, 2010, November 25, 2010, through January 23, 2011, and February 10, 2011, through March 10, 2011. Daily limit: three (3) birds singly or in the aggregate, including doves; possession limit: six (6) birds singly or in the aggregate, including doves.

**SUMMARY OF PUBLIC COMMENT:** Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo.

This amendment filed August 20, 2010, effective **September 1, 2010**.

**Title 6—DEPARTMENT OF HIGHER EDUCATION  
Division 250—University of Missouri  
Chapter 11—Administration of Missouri Fertilizer Law**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Missouri Agricultural Experiment Station under section 266.545, RSMo, the director adopts a rule as follows:

**6 CSR 250-11.041** Inspection Fee on Manipulated Animal or Vegetable Manure Fertilizers **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 17, 2010 (35 MoReg 757-761). 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:** One (1) letter of comment was received.

**COMMENT:** The Missouri Pork Association, Missouri Cattlemen's Association, Missouri Egg Council, The Poultry Federation, and the Missouri Dairy Association commented in a letter. The comment letter states:

1. That the authority to promulgate rules is vested solely with the

Fertilizer and Ag Lime Advisory Council;

2. Proposed language does not conform to the legislative intent of House Bill 734;

3. That "manipulated manure fertilizers shall be guaranteed." This is contrary to provisions of the Missouri Fertilizer Law that only require a guaranteed analysis for fertilizers that are "sold." Manipulated manures that are given away or not sold are not required to be "guaranteed"; and

4. A general disbelief in the calculation of the fee reduction as a result of implementation of this change to fees for manipulated manure fertilizers.

**RESPONSE:**

1. Authority to promulgate rules for the efficient administration and enforcement of sections 266.291 to 266.351, RSMo, is vested with the director in "section 266.341, RSMo, Powers of Director" with approval of a majority of the Fertilizer Advisory Council members prior to submission to the secretary of state.

2. The language in this rule mirrors the language of the legislation exactly and precisely without change.

3. The term "fertilizer," as defined in section 266.291(4), RSMo, includes any organic or inorganic material of natural or synthetic origin which is added to soil, soil mixtures, or solution to supplement nutrients and is claimed to contain one or more essential plant nutrients. The term "fertilizer" does not include unmanipulated animal and vegetable manure and agricultural liming materials used to reduce soil acidity. Section 266.291(6), RSMo, "Sale," "sold," and "sells" include exchanges and consignments for sale and means any transfer or barter. Manures that do not carry a guarantee are not subject to inspection fee; however, if the producer seeks to provide nutrient content information, they are declaring the product a fertilizer subject to the appropriate fee.

4. Comment failed to review the attached revised data table calculating current inspection fees and new inspection fee at the rate per percent nitrogen content per ton. Table contains reported tonnage information from the 2008-09 fertilizer tonnage reporting period. The estimate on fee reduction if the new fee structure was in place for this period, would have been a decrease of forty-eight thousand, six hundred eighty-two dollars and twenty-nine cents (-\$48,682.29).

There were no changes made to the wording of the rule based on the comments received.

**Title 6—DEPARTMENT OF HIGHER EDUCATION  
Division 250—University of Missouri  
Chapter 11—Administration of Missouri Fertilizer Law**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Missouri Agricultural Experiment Station under section 266.545, RSMo, the director adopts a rule as follows:

**6 CSR 250-11.042** Guaranteed Analysis When Tonnage Inspection Fee is Based on Product Constituent **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 17, 2010 (35 MoReg 762-763). 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:** One (1) letter of comment was received.

**COMMENT:** The Missouri Pork Association, Missouri Cattlemen's Association, Missouri Egg Council, The Poultry Federation, and the

Missouri Dairy Association commented in a letter. The comment letter states:

“The proposed amendment to 6 CSR 250-11.042 requires distributors of manipulated manures to guarantee a nutrient value within 150% of its analysis. Under the Missouri Fertilizer Law, if a guaranteed fertilizer does not meet its guaranteed analysis, the distributor is subject to a monetary penalty. Therefore, distributors must be careful to not over-estimate a fertilizer’s nutrient content for fear of being fined. This proposed rule places livestock producers in jeopardy of violating their guaranteed analysis should they choose to be prudent and guarantee a lesser value to ensure compliance with the guaranteed value.

The purpose of the Missouri Fertilizer Law is to protect consumers by ensuring that when they buy nutrients they are getting a product that test at or above the guaranteed analysis. In other words, the law encourages fertilizer distributors to under-guarantee their product to avoid penalties. This proposed rule boxes in distributors of manure fertilizers. It imposes penalties or additional fees when the analysis is too low or too high. Since the law encourages the under-guarantee of fertilizers, it should not impose burdens or additional fees when a distributor tries to follow the intent of the law and avoid penalties or providing a deficient product. The bottom line is the advisory council should not dictate how a distributor guarantees its manure.

Nowhere in the advisory council’s regulations is there a requirement that a distributor of inorganic fertilizer is charged additional fees or taxes for under-guaranteeing its product. This proposed change imposing additional fees on manure fertilizers clearly singles out livestock producers for unequal treatment on how they must guarantee their product. This proposed rule violates the constitutional right to equal protection by providing disparate treatment of distributors of manures and commercial fertilizers.

Our memberships ask that the advisory council withdraw the proposed amendments and refile the rule in accordance with the comments described herein.”

RESPONSE: The investigational allowance for deficiency is described in section 266.343, RSMo, Penalties for Deficiency in Fertilizer. Tolerances for deficiency are defined much more strictly than the generous fifty percent (50%) outlined in this rule. Drafters of the legislative language placed in section 266.331, RSMo, sought to create and did create the first class of fertilizer on which the inspection fee was based on the guaranteed analysis of the product and not simply on the tonnage of product sold. This rule was developed to ensure that the producer would provide the consuming public with accurate information about the product being utilized, so the consumer can avoid over application of nutrients which could cause significant damage to property and the waters of the state, when a producer intentionally under-guarantees a product to avoid paying the inspection fees. There were no changes to the wording of this rule based on the comments received.

**Title 9—DEPARTMENT OF MENTAL HEALTH  
Division 30—Certification Standards  
Chapter 4—Mental Health Programs**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Mental Health under section 630.050, RSMo Supp. 2009 and sections 630.655 and 632.050, RSMo 2000, the director amends a rule as follows:

9 CSR 30-4.034 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2010 (35 MoReg 935). A change has been made in the text of the proposed amendment. The section with the change is reprinted here. This pro-

posed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received two (2) comments on the proposed amendment.

COMMENT #1: LaRee Harvey of the North Central Missouri Mental Health Center forwarded a comment stating that the emphasis shifted from frequency of service provision determining level of care to type of service provided. LaRee Harvey stated that the upper limit of one (1) community support worker to thirty (30) clients in the proposed amendment may be too few and that thirty-five (35) would be a better number to allow for more flexibility.

RESPONSE: The department notes the proposed amendment increases an upper threshold from one (1) community support worker to twenty (20) clients to an upper threshold of thirty (30) adults. The department disagrees with this comment, and no changes have been made to the rule as a result of this comment.

COMMENT #2: The department made a comment recognizing that an apparent typographical error exists in the rule regarding the number of community support workers. While the second sentence of 9 CSR 30-4.034(3)(A) states that “caseload size should not exceed one (1) community support worker to thirty (30) adults,” the second part of the sentence does not include the word “worker” after “community support.”

RESPONSE AND EXPLANATION OF CHANGE: For clarity, the department is adding the word “worker” to the second part of the sentence.

**9 CSR 30-4.034 Personnel and Staff Development**

(3) The CPR provider shall ensure that an adequate number of appropriately qualified staff is available to support the functions of the program. The department shall prescribe caseload size and supervisory-to-staff ratios.

(A) Caseload size shall vary according to the acuity, symptom complexity, and the needs of the individuals served. However, caseload size should not exceed one (1) community support worker to thirty (30) adults in the rehabilitation level of care and one (1) community support worker to twenty (20) children and youth in the rehabilitation level of care. Should any individual receiving CPR services believe that a community support worker’s caseload size is too large to attend to his or her service needs, that individual or his or her guardian has the right to request an independent review by the CPR program director sufficient to determine the adequacy of the caseload size and to implement an adjustment should one be deemed necessary.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 10—Air Conservation Commission  
Chapter 2—Air Quality Standards and Air Pollution  
Control Rules Specific to the Kansas City Metropolitan  
Area**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

**10 CSR 10-2.070 Restriction of Emission of Odors is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2010 (35 MoReg 766). No changes have been made in the proposed rescission, so it is

not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no written or verbal comments concerning this proposed rescission during the public comment period.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 10—Air Conservation Commission  
Chapter 3—Air Pollution Control Rules Specific to the  
Outstate Missouri Area**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

**10 CSR 10-3.090** Restriction of Emission of Odors **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2010 (35 MoReg 766-767). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no written or verbal comments concerning this proposed rescission during the public comment period.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 10—Air Conservation Commission  
Chapter 4—Air Quality Standards and Air Pollution  
Control Regulations for the Springfield-Greene County  
Area**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

**10 CSR 10-4.070** Restriction of Emission of Odors **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2010 (35 MoReg 767). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no written or verbal comments concerning this proposed rescission during the public comment period.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 10—Air Conservation Commission  
Chapter 5—Air Quality Standards and Air Pollution  
Control Rules Specific to the St. Louis Metropolitan  
Area**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

**10 CSR 10-5.160** Control of Odors in the Ambient Air **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 17, 2010 (35 MoReg 767). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no written or verbal comments concerning this proposed rescission during the public comment period.

**Title 10—DEPARTMENT OF NATURAL RESOURCES  
Division 10—Air Conservation Commission  
Chapter 6—Air Quality Standards, Definitions, Sampling  
and Reference Methods and Air Pollution Control  
Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission adopts a rule as follows:

10 CSR 10-6.165 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 17, 2010 (35 MoReg 767-769). 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: The Missouri Department of Natural Resources' Air Pollution Control Program received sixteen (16) comments from five (5) sources on this amendment: a private citizen, Washington University Interdisciplinary Environmental Law Clinic representing the Citizens Legal Environmental Action Network, the Regulatory Environmental Group for Missouri (REGFORM), Newman, Comley & Ruth P.C. (NCRPC) representing the Missouri Agribusiness Association and Missouri Pork Association, and the Missouri Farm Bureau.

COMMENT #1: REGFORM thanked the commission for their diligence in moving this forward and finding a resolution that is workable. The department's rulemaking has reached a nice compromise and they are appreciative of the effort.

RESPONSE: The new rule proposed is the culmination of a multi-year evaluation and discussion of the current odor rules. Beginning with a formal petition to amend the rules submitted in October 2006, the department and Missouri Air Conservation Commission (MACC) have worked with shareholders and interested parties as part of an odor workgroup in 2007 and continuing with the commission's deliberations during years 2007-2009 as part of their regular meetings. The commission worked with the department on specific language to incorporate into the proposed rulemaking based on the substantial amount of input from interested parties. As noted at the June 2009 meeting, the commission stated that stakeholders have had ample opportunity to weigh in on all of the issues. The department recognizes the time and effort that REGFORM and others have contributed to this rulemaking and appreciates REGFORM's supportive comment. No change was made to the rule text as a result of this comment.

COMMENT #2: The Missouri Farm Bureau commented that they were participants in the odor workgroup and conveyed their opposition to extending regulations to operations with less than a Class IA designation. They have said that science, not emotion and politics, should be used in determining if regulatory changes are warranted. Complaints against two (2) or three (3) large agricultural entities do not justify expanding the reach of the state's odor regulations to smaller livestock operations. They have said that more research is needed in the area of agricultural emissions. The results of the National Air Emissions Monitoring Study are expected to be released in coming weeks, and the United States Department of Agriculture (USDA) continues to discuss and study odor and air emissions. Finally, voluntary incentive-based assistance is preferable to sweeping new regulations. The USDA has a web-based tool available to help farmers identify opportunities for reducing emissions on their respective operations. They conclude by saying that the proposed rule is not perfect, but it is a compromise.

RESPONSE: The department recognizes the time and effort that the Missouri Farm Bureau has contributed to this rulemaking and appreciates the comment. All comments have been considered throughout the rule development process. The odor rule continues to apply only to Class IA concentrated animal feeding operations (CAFOs) and does not extend to smaller operations. No change was made to the rule text as a result of this comment.

Due to similar concerns addressed in the following two (2) comments, one (1) response that addresses these concerns can be found at the end of these two (2) comments:

COMMENT #3: A private citizen commented that the public and private fiscal note of five hundred dollars (\$500) per year may be significantly understated. The cost of writing an odor control plan and the cost of producing/complying with the odor control plan is beyond five hundred dollars (\$500) per year. If the cost of compliance is part of the fiscal note, then the cost may be several thousands a year. One (1) Nasal Ranger is about seventeen hundred dollars (\$1,700) not counting the cost of sending employees to an out-of-state training session.

COMMENT #4: NCRPC commented that the fiscal note says there is less than five hundred dollars (\$500) impact on Class IA CAFOs. Amendments of plans will undoubtedly cost each Class IA CAFO more than five hundred dollars (\$500) to amend its plan. The department should investigate the cost to amend plans and revise the fiscal note.

RESPONSE AND EXPLANATION OF CHANGE: The new rule is a consolidation of existing rules and therefore does not impose a new or stricter standard or significantly change other requirements but continues for all practical purposes the existing standard and requirements. The proposed public entity cost statement is appropriate because no new equipment costs are incurred with this rule. The department had already purchased Nasal Rangers prior to this rulemaking. The proposed private entity cost statement is also appropriate because the cost for existing odor control plans was included in the fiscal note cost for the original area-specific rules. Private entities may have costs if their approved plan is inadequate or requires modification based on changes in their operation. However, in the 1999 rule amendment that added the initial language and requirements for Class IA CAFOs, the annual private cost associated with implementing and operating an odor control plan on a per facility basis, including reviewing and updating the plan, was estimated at fifty thousand dollars (\$50,000). Since all current Class IA CAFOs are operating under approved odor control plans, the department assumes that the time to review and provide any update to the plan as a result of this rulemaking is expected to be minimal. As a result of this comment, a change was made to section (4) to clarify odor control plan update requirements.

COMMENT #5: The Washington University Interdisciplinary Environmental Law Clinic (Clinic) commented that they have sub-

mitted comments to the commission as well as the department during the process leading up to this point and support the adoption of the proposed regulations. The Clinic proposes additional changes to ensure that the odor regulation achieves its goal. All CAFOs, not just the largest ones, should be subject to the odor regulations. The reasoning is that if smaller CAFOs are causing a violation of the state's odor standard, then they should be held accountable and required to take preventative measures.

RESPONSE: The odor workgroup and commission discussed including smaller animal operations in the odor regulation. Draft language was presented to the commission at the March 2008 meeting that did include Class IB CAFOs. Per the commission at its June 2008 meeting, the Class IB CAFO language was dropped. The commission decided not to lower the size threshold in the rule because the additional number of facilities (approximately four hundred fifty (450) if adding Class IB, IC, and Class II operations were included) would be resource prohibitive and beyond current staffing capabilities. No change was made to the rule text as a result of this comment.

COMMENT #6: The Washington University Interdisciplinary Environmental Law Clinic commented that the proposed regulation will most likely result in inconsistencies in the definition of IA CAFOs between the department's Air and Water Programs. Recent changes in federal water regulations will likely result in Missouri changing its Water Program definitions to conform to this new standard. A simple solution would be to incorporate by reference the odor regulations in the state's Water Program in regards to the definition of CAFOs.

RESPONSE: The current Air Program definition is consistent with department statute 640.703(3). If the statute is changed by the general assembly then the Air Program may incorporate that change into its regulation. No change was made to the rule text as a result of this comment.

Due to similarity of the following two (2) comments, one (1) response that addresses this issue can be found at the end of these two (2) comments:

COMMENT #7: The Washington University Interdisciplinary Environmental Law Clinic commented that the proposed rule states appropriately that an odor control plan must be updated after a modification has occurred. However, the proposed definition of modification is ambiguous and may make this fairly difficult to implement. The definition for modification should be revised to ensure that any changes in actual odor controls result in updated odor control plans.

COMMENT #8: NCRPC commented that the definition for the term modification is too broad and overly inclusive. Voluntary, positive changes should not have to seek regulatory approval. They suggest the definition of modification should exclude situations where voluntary practices or technologies are implemented when the operation is in compliance with the odor standard.

RESPONSE AND EXPLANATION OF CHANGE: Requiring Class IA CAFOs to notify the department when a modification occurs is to assure that the department is informed about changes to the operation that will potentially impact odor emissions. In addition, it allows the department to respond in a more timely and knowledgeable manner should any questions arise about the operation. The intent is not to require operations to notify the department whenever there is a small change to an operation that does not impact odor emissions. Small changes would include items such as a small change in animal population. Odor control plan updates are required when more long-term changes occur to odor emission sources such as barns, lagoons, etc. and odor reduction strategies. As a result of these comments, a change has been made to the definition of modification in section (2)(A) to clarify the intent.

COMMENT #9: NCRPC commented that the purpose of an odor control plan should be clarified. Class IA CAFOs should not be required to propose any new odor control practices or technologies

if they are in compliance with the odor performance standard. The following change is recommended in the first sentence of subsection (3)(A)—shall operate under an odor control plan describing measures to be used to control odor emissions that are necessary to maintain compliance with the odor performance standard described in section (3).

**RESPONSE AND EXPLANATION OF CHANGE:** As noted in the comment, the purpose of the odor control plan is to maintain compliance with the odor standard. The odor control plan provides a consistent, regulatory structure that is used to evaluate an odor source and any options for reducing odor to achieve that purpose. As a result of this comment, the suggested language was added to subsection (3)(A).

**COMMENT #10:** NCRPC commented that under the elements of an odor control plan in subparagraph (3)(A)1.B., the economic impacts should be included, consistent with subparagraphs (3)(A)1.D. and E. **RESPONSE:** Subparagraph (3)(A)1.B. asks each operation to list potentially innovative and proven odor control options in their odor control plan. Establishing an economic impacts criterion at this point would limit the list early in the process. Further into the odor control plan preparation, where rankings of feasible odor control options are made and where an evaluation of the most effective odor control options is made, the economic impacts should be evaluated. No change was made to the rule text as a result of this comment.

**COMMENT #11:** NCRPC commented that the proposed rule deletes the requirement to consult with the Water Pollution Control Program. There has been no explanation of, or justification for, this omission. The Water Program's experience could provide valuable insight to assist the Air Program in its review of odor control plans.

**RESPONSE:** The original requirement to consult with the Water Pollution Control Program was necessary because Air Program staff were less familiar with CAFOs. Now that Air Program staff are familiar with CAFOs, the need to specify in the rule the requirement to consult with the Water Program is no longer justified. Eliminating the requirement to consult with the Water Program will also streamline the process of reviewing and approving odor control plans. As is the normal practice within the department, any consultation with other programs in the department regarding odor control plans will be done as needed. No change was made to the rule text as a result of this comment.

**COMMENT #12:** NCRPC commented that section (4) should be amended and combined with subsection (3)(B). Subsection (3)(B) grants too much authority and discretion to the staff director regarding violations of any requirement of this rule and recurring odor emissions. This subsection should be stricken from the rule. The only relevant metric that should trigger the requirement to amend an odor control plan is non-compliance with the odor performance standard. The rule should allow the staff director to require an amendment to the odor control plan if a location experiences three (3) notices of violation of the odor standard during any twelve (12)-month period. This would establish a clear standard that dictates when odor control plans should be amended.

**RESPONSE:** This language resulted from discussions by the commission at its February 6 and 7, 2008, meetings. Draft language was presented to the commission at the March 2008 meeting. While there have been changes to the language in subsection (3)(B), it is very similar to the initial proposal. The commission considered this comment during their deliberations in establishing the proposed rule text. No change was made to the rule text as a result of this comment.

**COMMENT #13:** NCRPC commented that section (4) requires odor control plans be updated every five (5) years or when a modification occurs. Clients oppose the requirement to update odor control plans every five (5) years just for the sake of updating the plans. This

imposes unnecessary time and expense on those farms which have not violated the odor performance standard.

**RESPONSE AND EXPLANATION OF CHANGE:** While the odor control plan is not an operating permit, the requirement to review and update as necessary an odor control plan is analogous from a time standpoint to renewing an operating permit every five (5) years. Requiring a review/update of odor control plans is to assure the department is informed about changes to the operation that will potentially impact odor emissions. As a result of this comment, a change was made to section (4) to clarify odor control plan update requirements.

**COMMENT #14:** NCRPC commented that the termination of an odor control plan clause—and the odor source has been removed—should be removed and the rule should allow the Air Program to terminate a plan immediately without waiting sixty (60) months. Clients suggest the draft rule be amended to allow odor control plans to be terminated in the event there are not exceedances of the odor standard for a period of forty-eight (48) months. The draft rule should reward farming operations that successfully control odor emissions from their livestock.

**RESPONSE AND EXPLANATION OF CHANGE:** An operation should not be able to terminate the requirement to have an odor control plan when the odor sources are still active. However, an operation should be able to terminate the odor control plan requirements when the odor sources have been removed. As a result of this comment, subsection (4)(B) has been amended to delete the sixty (60)-month period found in the proposed rule.

**COMMENT #15:** NCRPC commented that section (4) requires plans be updated six (6) months before the current odor control plan expires. Since odor control plans do not expire, it is unclear how to submit a plan six (6) months before expiration if the plan does not expire. In addition, subsection (4)(A) requires plans to be updated by December 31, 2010; since this rule may not be effective by that date, will facilities be subject to enforcement for not amending their plans in accordance with a deadline that may not be legally in effect as of December 31?

**RESPONSE AND EXPLANATION OF CHANGE:** When the commission directed the staff to proceed with the rulemaking in June 2009, the use of the December 31, 2010, date appeared appropriate. However, the rulemaking has taken longer to complete than originally anticipated. As a result of this comment, the date has been changed to March 31, 2011, in subsection (4)(A) to allow Class IA CAFOs additional time to update their odor control plans.

**COMMENT #16:** NCRPC commented that inspectors should be trained and certified on the Nasal Ranger. Inspectors should successfully complete an odor certification course and undergo sensitivity training. This should be part of the rule or part of the policy of the department.

**RESPONSE:** The department provides training and mentoring and has a written protocol for inspectors for taking odor evaluations. Nasal Rangers come with instructions on how to use the instrument. The department has looked into sending its inspectors for additional training and certification to a company such as St. Croix Sensory, but the costs associated with travel, expenses, and training are significant. No change was made to the rule text as a result of this comment.

#### 10 CSR 10-6.165 Restriction of Emission of Odors

(2) Definitions.

(A) Modification—Any change to a source of odor emissions or source operations, including odor controls, that causes or could cause an increase in potential odor emissions.

(3) General Provisions. No person may cause, permit, or allow the

emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one (1) volume of odorous air is diluted with seven (7) volumes of odor-free air for two (2) separate trials not less than fifteen (15) minutes apart within the period of one (1) hour. This odor evaluation shall be taken at a location outside of the installation's property boundary.

(A) Control of Odors from Class IA Concentrated Animal Feeding Operations. Notwithstanding any provision in any other regulation to the contrary, all Class IA concentrated animal feeding operations shall operate under an odor control plan describing measures to be used to control odor emissions that are necessary to maintain compliance with the odor performance standard described in section (3). All new Class IA concentrated animal feeding operations and any operation that expands to become a Class IA concentrated animal feeding operation shall obtain approval from the department for an odor control plan at least sixty (60) days prior to commencement of operation.

1. The odor control plan shall contain the following:

A. A listing of all sources of odor emissions and description of how odors are currently being controlled;

B. A listing of all potentially innovative and proven odor control options for reducing odor emissions. Odor control options may include odor reductions achieved through: odor prevention, odor capture and treatment, odor dispersion, add-on control devices, management practices, modifications to feed-stock or waste handling practices, or process changes;

C. A detailed discussion of feasible odor control options for odor emissions. The discussion shall include options determined to be infeasible. Determination of infeasibility should be well documented and based on physical, chemical, and engineering principles demonstrating that technical difficulties would preclude the success of the control option;

D. A ranking of feasible odor control options from most to least effective. Ranking factors shall include odor control effectiveness, expected odor reduction, energy impacts, and economic impacts;

E. An evaluation of the most effective odor control options. Energy, environmental, and economic impacts shall be evaluated on a case-by-case basis;

F. Description of the odor control options to be implemented to reduce odor emissions;

G. A schedule for implementation. The schedule shall establish interim milestones in implementing the odor control plan prior to the implementation deadline if the plan is not implemented at one time; and

H. An odor monitoring plan.

2. The Missouri Department of Natural Resources' Air Pollution Control Program shall review and approve or disapprove the odor control plan.

A. After the program receives an odor control plan, they shall perform a completeness review. Within thirty (30) days of receipt, the program shall notify the plan originator if the plan contains all the elements of a complete odor control plan. If found incomplete, the program shall provide the originator a written explanation of the plan's deficiencies.

B. Within sixty (60) days after determining an odor control plan submittal is deemed complete, the program shall approve or disapprove the plan. During this sixty (60)-day technical review period, the program may request additional information needed for review. If the plan is disapproved, the program shall give the plan originator a written evaluation explaining the reason(s) for disapproval.

(4) Reporting and Record Keeping. Odor control plans shall be reviewed and updated as necessary a minimum of every five (5) years from the date last approved or when a modification occurs. In lieu of a full plan update, a letter may be provided to the department stating that a review was performed and the existing odor control plan is adequate. This review letter or odor control plan update shall be due

to the department six (6) months before the current odor control plan expires or at least thirty (30) days prior to the modification occurring with the following provisions:

(A) All existing odor control plans shall be updated by March 31, 2011; and

(B) Any person may petition the department to be removed from the odor control plan requirement based on documentation that the odor source has been removed.

**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 sections 190.836 and 208.201, RSMo Supp. 2009, the division adopts a rule as follows:

13 CSR 70-3.200 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 3, 2010 (35 MoReg 685-687). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

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

COMMENT: The Missouri EMS Agent Corporation (MoEMSAC) suggested that the proposed tax rate should be reduced from five and forty-five hundredths percent (5.45%) of gross receipts to four and four hundred seventeen thousandths percent (4.417%) of gross receipts in order to comply with the requirement of the federal Medicaid provider tax law. MoEMSAC also commented there may be a need from time-to-time to adjust the tax rate in order to maintain compliance with the B1/B2 test required by the federal Medicaid provider tax law.

RESPONSE AND EXPLANATION OF CHANGE: The division concurs with the comment and has modified the proposed rule accordingly.

**13 CSR 70-3.200 Ambulance Service Reimbursement Allowance**

(2) Ambulance Service Reimbursement Allowance Rate for SFY 2010 and SFY 2011. The ambulance service reimbursement allowance rate for SFY 2010 and SFY 2011 determined by the division, as set forth in subsection (1)(B) above, is as follows:

(A) The ambulance service reimbursement allowance rate shall be four and four hundred seventeen thousandths percent (4.417%) of gross receipts as determined in paragraph (1)(A)5. above with an aggregate annual adjustment, by the MO HealthNet Division, not to exceed five-tenths percent (0.5%) based on the ambulance services total gross receipts. No ambulance service reimbursement allowance shall be collected by the Department of Social Services if the federal Centers for Medicare and Medicaid Services (CMS) determines that such reimbursement allowance is not authorized under Title XIX of the Social Security Act.

*REVISED PRIVATE COST: This proposed rule will cost emergency ambulance providers approximately \$8,103,855 in SFY 2011.*

**REVISED FISCAL NOTE  
 PRIVATE COST**

- I. Department Title:** Department of Social Services  
**Division Title:** MO HealthNet Division  
**Chapter Title:** Conditions of Provider Participation, Reimbursement and procedure of General Applicability

<b>Rule Number and Title:</b>	13 CSR 70-3.200 Ambulance Service Reimbursement Allowance
<b>Type of Rulemaking:</b>	Proposed Amendment

**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:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
211	Emergency Ambulance Providers	Estimated cost for SFY 2011 \$8,103,855

**III. WORKSHEET**

The fiscal note is based on establishing the Ambulance Service Reimbursement Allowance assessment rate at 4.417% effective for SFY 2011.

**IV. ASSUMPTIONS**

The Ambulance Service Reimbursement Allowance assessment rate of 4.417% is levied upon Emergency Ambulance Providers' gross receipts of approximately \$183,469,664.

Gross receipts is emergency ambulance revenue from Medicare, Medicaid, insurance, and private payments from CPT Code A0427/A0425 Ambulance service, advanced life support, emergency transport, level 1 (ALS1- emergency) and associated ground mileage; CPT code A0429/A0425 Ambulance services, basic life support, emergency transport (BLS – emergency) and associated ground mileage; and CPT Code A0433/A0425 Advanced life support, Level 2 (ALS2) and associated ground mileage.



**Title 13—DEPARTMENT OF SOCIAL SERVICES**  
**Division 70—MO HealthNet Division**  
**Chapter 90—Home Health Program**

**ORDER OF RULEMAKING**

By the authority vested in the MO HealthNet Division under sections 208.152, 208.153, and 208.201, RSMo Supp. 2009, the division amends a rule as follows:

**13 CSR 70-90.010 Home Health-Care Services is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 3, 2010 (35 MoReg 688-690). 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 division received three (3) comments on the proposed amendment.

COMMENT #1: Megan Burke and Kirsten Dunham, with the Disability Coalition on Healthcare Reform, support the revisions that remove the homebound requirement and revisions that would strengthen the MO HealthNet program's home health services. They also support including therapy services for adults in the regulation so that people can receive therapy services in the community. The Disability Coalition on Healthcare Reform included suggestions on steps that would enhance the positive impact of eliminating the homebound requirement to save the state money from unnecessary institutionalization of disabled individuals who can live in the community as long as they receive home health services.

RESPONSE: The division will monitor the implementation of this change in the home health rule. The addition of therapy services for adults is not authorized under the current Medicaid appropriation. No changes were made to the rule as a result of this comment.

COMMENT #2: Mary Schantz, Executive Director, Missouri Alliance for Home Care, supports the revisions to the home health regulation. The Alliance believes the current homebound requirement restricts access to home health services and supports its elimination. The Alliance also advocates for the rule to be modified to include therapy services.

RESPONSE: The division will monitor the implementation of this change in the home health rule. The addition of therapy services for adults is not authorized under the current Medicaid appropriation. No changes were made to the rule as a result of this comment.

COMMENT #3: Joel D. Ferber and James B. Frost, Legal Services of Eastern Missouri, support the revisions to the regulation because they remove the homebound requirement which restricts access to home health services for Medicaid beneficiaries with disabilities. Legal Services of Eastern Missouri further recommended regulations to address hospital discharge planning and covering therapy services as a Medicaid covered benefit.

RESPONSE: The division will monitor the implementation of this change in the home health rule. The addition of therapy services for adults is not authorized under the current Medicaid appropriation. No changes were made to the rule as a result of this comment.

**Title 20—DEPARTMENT OF INSURANCE,**  
**FINANCIAL INSTITUTIONS AND PROFESSIONAL**  
**REGISTRATION**  
**Division 2150—State Board of Registration for the**  
**Healing Arts**  
**Chapter 5—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 334.104.3 and 335.036, RSMo Supp. 2009 and section 334.125, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2150-5.100 Collaborative Practice is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2010 (35 MoReg 869). 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 2150—State Board of Registration for the**  
**Healing Arts**  
**Chapter 5—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.104.3 and 335.036, RSMo Supp. 2009 and section 334.125, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2150-5.100 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2010 (35 MoReg 869-872). 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: The Board of Nursing and Board of Registration for the Healing Arts received seventy-three (73) comments on the proposed rule.

COMMENTS #1-#70: A total of seventy (70) Advanced Practice Registered Nurses (APRNs), Physicians, Registered Professional Nurses, and members of the public all submitted letters of support describing how the passage of this rule will improve their ability to provide or receive timely health care.

RESPONSE: The board appreciates the support. No changes have been made as a result of these comments.

COMMENT #71: Stephen R. Smith, MD, representing the Missouri Society of Anesthesiologists, suggested the board further clarify the "one (1) month" period of time requirement. Mr. Smith, MD, feels that it is not completely clear what constituted "one (1) month" in this rule and more specificity would be helpful to clarify what is required of the APRN and collaborating physician. For example, does this rule require thirty (30) eight (8)-hour office days, four (4) five (5)-day weeks, or simply the passage of one (1) calendar month? Since the intent of the requirement is to ensure adequate time for interpersonal interaction in order to establish a workable collaborative practice relationship, then it stands to reason that this time be clearly delineated and set in accordance with statutory language.

The society suggests a minimum of twenty-two (22) regular practice days (the average number of weekdays in a calendar month) of collaborative practice with the collaborating physician personally and continuously present (same office setting) to fulfill this rule. Additional days could reasonably be required under the statutory language and may be desirable to ensure the safety of patients receiving treatment under this act.

RESPONSE: The State Board of Nursing and State Board of Registration for the Healing Arts have been instructed by the legislature that any further clarification to the “one (1) month” period of time required in the rule would need to be done legislatively and not in rule. Therefore, no changes are being made to the proposal.

COMMENT #72: Thomas L. Holloway, representing the Missouri State Medical Association, commented that the proposed rule appears to be consistent with the recently-revised statutes, and the association commends the hard work put forth on this difficult issue. Section 334.104.3. of the new state law specifies several mandatory elements for all collaborative practice arrangements, but the proposed rule recites only a few of them. It may seem redundant to have these provisions in both the law and the administrative rule, but experience tells us that many people assume the rules are more specific than the statutes. Should a physician and collaborating nurse rely on the rule rather than the statute to guide them in crafting a collaborative practice arrangement, many of the required elements might be overlooked, and their arrangement could inadvertently be in violation of the law. Questions about the required composition of a collaborative practice arrangement are fairly common, and it might facilitate the efforts of physicians and their nurses if the rules were made to be consistent with the law.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Nursing and State Board of Registration for the Healing Arts agree that a reference to the statute in the rule would be beneficial to assist physicians and collaborating nurses. Therefore, an addition has been made to the beginning of the first sentence of the purpose.

COMMENT #73: A letter of opposition was received from Michael J. Nelson, MD, regarding advanced practice nurses writing narcotic prescriptions in Missouri.

RESPONSE: The statute allowing controlled substance prescriptive authority by advanced practice registered nurses was passed by the state legislature in 2008. Therefore, no change is made as a result of this comment.

#### 20 CSR 2150-5.100 Collaborative Practice

*PURPOSE: In accordance with section 334.104, RSMo, this rule defines collaborative practice arrangement terms and delimits geographic areas; methods of treatment; review of services; and drug/device dispensing or distribution pursuant to prescription.*

**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 335.016(2) and 335.036, RSMo Supp. 2009, the board rescinds a rule as follows:

#### 20 CSR 2200-4.100 Advanced Practice Nurse is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2010 (35 MoReg 872). 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 2200—State Board of Nursing  
Chapter 4—General Rules**

#### ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under sections 335.016(2) and 335.036, RSMo Supp. 2009, the board adopts a rule as follows:

20 CSR 2200-4.100 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2010 (35 MoReg 872-878). 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: The public comment period ended June 30, 2010. The Board of Nursing and Board of Registration for the Healing Arts received sixty-nine (69) comments on the proposed rule.

COMMENTS #1-#68: A total of sixty-eight (68) Advanced Practice Registered Nurses (APRNs), Physicians, Registered Professional Nurses, and members of the public all submitted letters of support describing how the passage of this rule will improve their ability to provide or receive timely health care.

RESPONSE: The board appreciates the support. No changes have been made as a result of these comments.

COMMENT #69: Stephen R. Smith, MD, representing the Missouri Society of Anesthesiologists, expresses concern that the proposed rules do not meet the statutory requirement for the “three hundred (300) clock hours” of pharmacologic training. The statutory language of Senate Bill 724 seems quite clear that three hundred (300) clock hours of preceptorial experience in prescribing medications are required. Forty-five (45) continuing education units (CEUs) of pharmacology in the preceding five (5) years is not even close to this. Option (III) is evidence of classroom work, which is not “preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor” and does not list actual clock hours. Option (II) is a letter, which again has no documentation of actual clock hours with a preceptor. Finally, Option (I), a course transcript, usually does not break down clock hours spent with one (1) or more individual preceptors.

RESPONSE AND EXPLANATION OF CHANGE: The board is in agreement with Mr. Smith’s comment and has added the phrase “preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor” in subparagraph (2)(B)7.A. and added subparagraph (2)(B)7.B. to add further clarification of “preceptorial experience.”

#### 20 CSR 2200-4.100 Advanced Practice Registered Nurse

(2) To Obtain APRN Recognition.

(B) Initial Recognition—RNs who are certified registered nurse anesthetists (CRNA), certified nurse midwives (CNM), certified nurse practitioners, or certified clinical nurse specialists (CNS) applying for recognition from the MSBN for eligibility to practice as advanced practice registered nurses shall—

1. Hold a current unencumbered license to practice in Missouri or another compact state as an RN; and

2. Provide evidence of completion of appropriate advanced nursing education program as defined in subsection (1)(C) of this rule; and

3. Submit completed Document of Recognition application and

appropriate fee to the MSBN. Incomplete application forms and evidence will be considered invalid. Fees are not refundable; and

4. Submit documentation of current certification in their respective advanced nursing clinical specialty area by an MSBN-approved, nationally-recognized certifying body, meeting the requirements of this rule; or

5. Before January 1, 2010, applicants for whom there is no appropriate certifying examination shall also provide the following documentation:

A. Evidence of successful completion of three (3) graduate credit hours of pharmacology offered by an accredited college or university within the previous five (5) years prior to the date of application to the board; and

B. Evidence of a minimum of eight hundred (800) hours of clinical practice in the advanced practice nursing clinical specialty area within two (2) years prior to date of application to the board; and

6. Each applicant is responsible for maintaining and providing documentation of satisfactory, active, up-to-date certification/recertification/maintenance and/or continuing education/competency status to the MSBN.

7. To be eligible for controlled substance prescriptive authority, the APRN applicant must:

A. Submit evidence of completion of an advanced pharmacology course that shall include preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor. Evidence shall be submitted in the form of one (1) of the following:

(I) An official final transcript from their advanced practice program; or

(II) A letter from the school describing how this was integrated into the curriculum; or

(III) Evidence of successful completion of three (3) credit hours post-baccalaureate course in advanced pharmacology from an accredited college or university within the last five (5) years; or

(IV) Evidence of successful completion of forty-five (45) continuing education units in pharmacology within the last five (5) years; and

B. Provide evidence of completion of at least three hundred (300) clock hours of preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor. The APRN applicant shall complete the form provided by the MSBN and include this form with the Document of Recognition application or at such time as the APRN has completed the required hours of preceptorial experience; and

C. Has had controlled substance prescriptive authority delegated in a collaborative practice arrangement under section 334.104, RSMo, with a Missouri licensed physician who has an unrestricted federal Drug Enforcement Administration (DEA) number and who is actively engaged in a practice comparable in scope, specialty, or expertise to that of the APRN. Submit the completed "Statement of Controlled Substance Delegation" form provided by the MSBN as part of the application process to the MSBN.

8. Once the APRN has received controlled substance prescriptive authority from the MSBN, he/she may apply for a BNDD registration number and a federal DEA registration number. Restrictions that may exist on the collaborative physician's BNDD registration may also result in restrictions on the BNDD registration for the APRN. The instructions and the application needed for BNDD registration can be found at [www.dhss.mo.gov/BNDD](http://www.dhss.mo.gov/BNDD). For information regarding federal DEA registration, see [www.DEADiversion.usdoj.gov](http://www.DEADiversion.usdoj.gov).

**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 334.104.3 and 335.036, RSMo Supp. 2009, the board rescinds a rule as follows:

**20 CSR 2200-4.200 Collaborative Practice is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2010 (35 MoReg 879). 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 2200—State Board of Nursing  
Chapter 4—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 334.104.3 and 335.036, RSMo Supp. 2009, the board adopts a rule as follows:

**20 CSR 2200-4.200 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2010 (35 MoReg 879–881). 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: The public comment period ended June 30, 2010. The Board of Nursing and Board of Registration for the Healing Arts received seventy-three (73) comments on the proposed rule.

COMMENTS #1–#70: A total of seventy (70) Advanced Practice Registered Nurses (APRNs), Physicians, Registered Professional Nurses, and members of the public all submitted letters of support describing how the passage of this rule will improve their ability to provide or receive timely health care.

RESPONSE: The board appreciates the support. No changes have been made as a result of these comments.

COMMENT #71: Stephen R. Smith, MD, representing the Missouri Society of Anesthesiologists, suggested the board further clarify the "one (1) month" period of time requirement. Mr. Smith, MD, feels that it is not completely clear what constituted "one (1) month" in this rule and more specificity would be helpful to clarify what is required of the APRN and collaborating physician. For example, does this rule require thirty (30) eight (8)-hour office days, four (4) five (5)-day weeks, or simply the passage of one (1) calendar month? Since the intent of the requirement is to ensure adequate time for interpersonal interaction in order to establish a workable collaborative practice relationship, then it stands to reason that this time be clearly delineated and set in accordance with statutory language.

The society suggests a minimum of twenty-two (22) regular practice days (the average number of weekdays in a calendar month) of collaborative practice with the collaborating physician personally and continuously present (same office setting) to fulfill this rule. Additional days could reasonably be required under the statutory language and may be desirable to ensure the safety of patients receiving treatment under this act.

RESPONSE: The State Board of Nursing and State Board of

Registration for the Healing Arts have been instructed by the legislature that any further clarification to the “one (1) month” period of time required in the rule would need to be done legislatively and not in rule. Therefore, no changes are being made to the proposal.

COMMENT #72: Thomas L. Holloway, representing the Missouri State Medical Association, commented that the proposed rule appears to be consistent with the recently-revised statutes, and the association commends the hard work put forth on this difficult issue. Section 334.104.3. of the new state law specifies several mandatory elements for all collaborative practice arrangements, but the proposed rule recites only a few of them. It may seem redundant to have these provisions in both the law and the administrative rule, but experience tells us that many people assume the rules are more specific than the statutes. Should a physician and collaborating nurse rely on the rule rather than the statute to guide them in crafting a collaborative practice arrangement, many of the required elements might be overlooked, and their arrangement could inadvertently be in violation of the law. Questions about the required composition of a collaborative practice arrangement are fairly common, and it might facilitate the efforts of physicians and their nurses if the rules were made to be consistent with the law.

RESPONSE AND EXPLANATION OF CHANGE: The State Board of Nursing and State Board of Registration for the Healing Arts agree that a reference to the statute in the rule would be beneficial to assist physicians and collaborating nurses. Therefore, an addition has been made to the beginning of the first sentence of the purpose.

COMMENT #73: A letter of opposition was received from Michael J. Nelson, MD, regarding advanced practice nurses writing narcotic prescriptions in Missouri.

RESPONSE: The statute allowing controlled substance prescriptive authority by advanced practice registered nurses was passed by the state legislature in 2008. Therefore, no change is made as a result of this comment.

## **20 CSR 2200-4.200 Collaborative Practice**

*PURPOSE: In accordance with section 334.104, RSMo, this rule defines collaborative practice arrangement terms and delimits geographic areas; methods of treatment; review of services; and drug/device dispensing or distribution pursuant to prescription.*

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 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and  
Transportation Commission  
Chapter 25—Motor Carrier Operations**

**IN ADDITION**

**7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers**

**PUBLIC NOTICE**

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

**SUMMARY:** This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce because of impaired vision or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

**DATES:** Comments must be received at the address stated below on or before October 31, 2010.

**ADDRESSES:** You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- *Email:* Kathy.Hatfield@modot.mo.gov
- *Mail:* PO Box 893, Jefferson City, MO 65102-0893
- *Hand Delivery:* 1320 Creek Trail Drive, Jefferson City, MO 65109
- *Instructions:* All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection, and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED  
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- *Docket:* For access to the department's file, to read background documents or comments received, 1320 Creek Trail Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., CT, Monday through Friday, except state holidays.

**FOR FURTHER INFORMATION, CONTACT:** Ms. Kathy Hatfield, Motor Carrier Specialist, (573) 522-9001, MoDOT Motor Carrier Services Division, PO Box 893, Jefferson City, MO 65102-0893. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

**SUPPLEMENTARY INFORMATION:**

**Public Participation**

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**Background**

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, RSMo Supp. 2009, MoDOT may issue a Skill Performance Evaluation Certificate, for not more than a two (2)-year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing an SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

**Qualifications of Applicants**

**Application #MP080717033**

Renewal Applicant's Name & Age: Verlin W. Ford, 54

Relevant Physical Condition: Mr. Ford's best-corrected visual acuity in his left eye is 20/20 Snellen. He is blind in his right eye and has been since birth.

Relevant Driving Experience: Mr. Ford has driven approximately thirty-two (32) years and has driven a bucket truck approximately five (5) years in the Scott City, Missouri, area. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in July 2010, his ophthalmologist certified, "In my medical opinion, Mr. Ford's visual deficiency is stable and has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle and that his condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: No accidents or violations within the past three (3) years.

**Application #MP100701060**

Applicant's Name & Age: Thomas W. May, 51

Relevant Physical Condition: Mr. May's best-corrected visual acuity in his left eye is 20/20 Snellen, and his right eye is 20/60 Snellen. He has had amblyopia in his right eye since childhood.

Relevant Driving Experience: Mr. May has driven non-CDL-required vehicles since 1977 and has driven a passenger bus since 2006. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in April 2010, his ophthalmologist certified, "In my medical opinion, Mr. May's

visual deficiency is stable and has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle and that his condition will not adversely affect his ability to operate a commercial motor vehicle safely.”

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

Traffic Accidents and Violations: No accidents or violations within the past three (3) years.

**Request for Comments**

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: September 1, 2010

*Jan Skouby, Motor Carrier Services Director, Missouri Department of Transportation*

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

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the expedited applications listed below. A decision is tentatively scheduled for October 22, 2010. These applications are available for public inspection at the address shown below:

**Date Filed**

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

**08/25/10**

**#4552 NP:** Mount Carmel Senior Living  
St. Charles (St. Charles County)  
\$5,679,500, Long-term care (LTC) bed expansion through the purchase of 30 skilled nursing facility beds from Bethesda Dillworth, St. Louis

**09/07/10**

**#4503 RS:** Lakewood Assisted Living by Americare  
Springfield (Greene County)  
\$1,561,100, Renovate/modernize LTC facility

**09/13/10**

**#4562 RT:** Lutheran Convalescent Home  
St. Louis (St. Louis County)  
\$1,420,000, Renovate/modernize LTC facility

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by October 11, 2010. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
3418 Knipp Drive, Suite F  
Post Office Box 570  
Jefferson City, MO 65102

## STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law and whose Notice of Conviction has been filed with the Secretary of State pursuant to section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works 1) to Michael B. Robin, 2) to any other contractor or subcontractor that is owned, operated, or controlled by Mr. Robin, including Plumbco, Inc., or 3) to any other simulation of Mr. Robin or of Plumbco, Inc., for a period of one (1) year, or until December 17, 2010.

<b>Name of Contractor</b>	<b>Name of Officers</b>	<b>Address</b>	<b>Date of Conviction</b>	<b>Debarment Period</b>
Michael B. Robin DBA Plumbco, Inc. Case No. 09AO-CR01174		7534 Heron Drive Neosho, MO 64804	12/17/09	12/17/2009-12/17/2010

**T**he 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](mailto:dissolutions@sos.mo.gov).

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS AND CLAIMANTS AGAINST MID-MISSOURI INVESTMENT CENTER, LLC.**

**On August 19, 2010, Mid-Missouri Investment Center, 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.**

**Said company requests that all persons and organizations who have claims against it present them immediately by letter to the Company at: Mid-Missouri Investment Center, LLC, c/c Dan Cannefax, 1619 E. Independence, Springfield, MO 65804. 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 Mid-Missouri Investment Center, 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 WINDING UP  
TO ALL CREDITORS OF AND  
CLAIMANTS AGAINST  
MAYSE INFINITI, LLC**

On August 20, 2010, Mayse Infiniti, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against Mayse Infiniti, LLC, you must submit a summary in writing of the circumstances surrounding your claim to:

Mayse Infiniti, LLC  
Attn: S. Rick Mayse  
2030 S. Elliott  
Aurora, MO 65605

The summary must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, a brief description of the nature of the debt or the basis for the claim, and documentation supporting the claim.

**NOTICE: Because of the dissolution of Mayse Infiniti, LLC, any claim against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of the three notices authorized by statute, whichever is published last.**



**NOTICE OF WINDING UP AND DISSOLUTION**  
**FOR**  
**MORTGAGE ACQUISITION PARTNERS, L.L.C.**

1. The name of the limited liability company is Mortgage Acquisition Partners, L.L.C.
2. The Articles of Organization for Mortgage Acquisition Partners, L.L.C. were filed with the Missouri Secretary of State on April 9, 2001.
3. On August 19, 2010, Mortgage Acquisition Partners, L.L.C. filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri.
4. Persons with claims against Mortgage Acquisition Partners, L.L.C. should present them in accordance with the following procedure:
  - (a) In order to file a claim with Mortgage Acquisition Partners, L.L.C., you must furnish the following:
    - (i) Amount of the claim
    - (ii) Basis for the claim
    - (iii) Documentation for the claim
  - (b) The claim must be mailed to:

Mortgage Managers, Inc., Manager  
10829 Olive Blvd., Suite 200  
St. Louis, Missouri 63141
5. A claim against Mortgage Acquisition Partners, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
CG LIQUIDATING, LLC**

On August 26, 2010, CG LIQUIDATING, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

## Rule Changes Since Update to Code of State Regulations

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, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				30 MoReg 2435
1 CSR 15-3.290	Administrative Hearing Commission		This Issue		
1 CSR 15-3.350	Administrative Hearing Commission	This Issue	This Issue		
1 CSR 15-3.380	Administrative Hearing Commission	This Issue	This Issue		
1 CSR 15-3.431	Administrative Hearing Commission		This Issue		
1 CSR 15-3.436	Administrative Hearing Commission	This Issue	This Issue		
1 CSR 15-3.446	Administrative Hearing Commission	This Issue	This Issue		
1 CSR 15-3.480	Administrative Hearing Commission		This Issue		
1 CSR 15-3.490	Administrative Hearing Commission	This Issue	This Issue		
1 CSR 15-3.500	Administrative Hearing Commission		This Issue		
1 CSR 15-3.560	Administrative Hearing Commission		This Issue		
1 CSR 20-1.010	Personnel Advisory Board and Division of Personnel				
1 CSR 20-1.030	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel				
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-3.010	Personnel Advisory Board and Division of Personnel				
1 CSR 20-3.010	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-3.020	Personnel Advisory Board and Division of Personnel				
1 CSR 20-3.020	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-3.030	Personnel Advisory Board and Division of Personnel				
1 CSR 20-3.030	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel				
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-3.080	Personnel Advisory Board and Division of Personnel				
1 CSR 20-3.080	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel				
1 CSR 20-4.010	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 20-4.020	Personnel Advisory Board and Division of Personnel				
1 CSR 20-4.020	Personnel Advisory Board and Division of Personnel	This Issue	This Issue		
1 CSR 50-3.010	Missouri Ethics Commission	This Issue	This Issue		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 70-11.060	Plant Industries				
2 CSR 70-11.060	Plant Industries	35 MoReg 721	35 MoReg 756		
2 CSR 80-3.070	State Milk Board				
2 CSR 80-3.070	State Milk Board		35 MoReg 855		
2 CSR 90	Weights and Measures				35 MoReg 1284
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-6.505	Conservation Commission		This Issue		
3 CSR 10-6.535	Conservation Commission		This Issue		
3 CSR 10-7.410	Conservation Commission		35 MoReg 857	35 MoReg 1182	
3 CSR 10-7.431	Conservation Commission		35 MoReg 857	35 MoReg 1182	
3 CSR 10-7.440	Conservation Commission		N.A.	35 MoReg 1182	
3 CSR 10-7.440	Conservation Commission		N.A.	This Issue	
3 CSR 10-7.455	Conservation Commission				35 MoReg 316
3 CSR 10-11.130	Conservation Commission		35 MoReg 1246		
3 CSR 10-12.110	Conservation Commission		This Issue		
3 CSR 10-12.115	Conservation Commission		This Issue		
3 CSR 10-12.125	Conservation Commission		This Issue		
3 CSR 10-12.140	Conservation Commission		This Issue		
3 CSR 10-12.145	Conservation Commission		This Issue		
3 CSR 10-12.155	Conservation Commission		This Issue		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 170-2.010	Missouri Housing Development Commission		35 MoReg 963R		
4 CSR 170-2.100	Missouri Housing Development Commission		35 MoReg 963		
4 CSR 170-3.010	Missouri Housing Development Commission		35 MoReg 964R		
4 CSR 170-3.100	Missouri Housing Development Commission		35 MoReg 964		
4 CSR 170-3.200	Missouri Housing Development Commission		35 MoReg 964		
4 CSR 170-4.010	Missouri Housing Development Commission		35 MoReg 965R		
4 CSR 170-4.100	Missouri Housing Development Commission		35 MoReg 965		
4 CSR 170-4.200	Missouri Housing Development Commission		35 MoReg 966		
4 CSR 170-4.300	Missouri Housing Development Commission		35 MoReg 966		
4 CSR 170-5.010	Missouri Housing Development Commission		35 MoReg 967R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 170-5.020	Missouri Housing Development Commission		35 MoReg 968R		
4 CSR 170-5.030	Missouri Housing Development Commission		35 MoReg 968R		
4 CSR 170-5.040	Missouri Housing Development Commission		35 MoReg 968R		
4 CSR 170-5.050	Missouri Housing Development Commission		35 MoReg 969R		
4 CSR 170-5.100	Missouri Housing Development Commission		35 MoReg 969		
4 CSR 170-5.200	Missouri Housing Development Commission		35 MoReg 970		
4 CSR 170-5.300	Missouri Housing Development Commission		35 MoReg 971		
4 CSR 170-5.400	Missouri Housing Development Commission		35 MoReg 971		
4 CSR 170-5.500	Missouri Housing Development Commission		35 MoReg 973		
4 CSR 170-6.010	Missouri Housing Development Commission		35 MoReg 973R		
4 CSR 170-6.100	Missouri Housing Development Commission		35 MoReg 974		
4 CSR 170-6.200	Missouri Housing Development Commission		35 MoReg 975		
4 CSR 240-2.070	Public Service Commission		35 MoReg 682	35 MoReg 1324	
4 CSR 240-3.156	Public Service Commission		35 MoReg 365	35 MoReg 1183	
4 CSR 240-20.100	Public Service Commission		35 MoReg 365	35 MoReg 1183	
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 50-270.010	Division of School Improvement		35 MoReg 210 35 MoReg 1019		
5 CSR 50-321.010	Division of School Improvement		35 MoReg 857R		
5 CSR 50-350.040	Division of School Improvement		35 MoReg 1080R		
5 CSR 80-800.200	Teacher Quality and Urban Education		35 MoReg 454	35 MoReg 1132	
5 CSR 80-800.220	Teacher Quality and Urban Education		35 MoReg 454	35 MoReg 1132	
5 CSR 80-800.260	Teacher Quality and Urban Education		35 MoReg 455	35 MoReg 1132	
5 CSR 80-800.270	Teacher Quality and Urban Education		35 MoReg 455	35 MoReg 1132	
5 CSR 80-800.280	Teacher Quality and Urban Education		35 MoReg 456	35 MoReg 1133	
5 CSR 80-800.290	Teacher Quality and Urban Education		35 MoReg 456	35 MoReg 1133	
5 CSR 80-800.350	Teacher Quality and Urban Education		35 MoReg 457	35 MoReg 1133	
5 CSR 80-800.360	Teacher Quality and Urban Education		35 MoReg 458	35 MoReg 1133	
5 CSR 80-800.380	Teacher Quality and Urban Education		35 MoReg 459	35 MoReg 1134	
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 250-11.041	University of Missouri	35 MoReg 161	34 MoReg 2592 35 MoReg 757	This Issue	
6 CSR 250-11.042	University of Missouri		34 MoReg 2594 35 MoReg 762	This Issue	
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-1.010	Missouri Highways and Transportation Commission		35 MoReg 539	35 MoReg 1211	
7 CSR 10-16.010	Missouri Highways and Transportation Commission		35 MoReg 1173R		
7 CSR 10-16.020	Missouri Highways and Transportation Commission		35 MoReg 1173R 35 MoReg 1173		
7 CSR 10-16.025	Missouri Highways and Transportation Commission		35 MoReg 1174		
7 CSR 10-16.030	Missouri Highways and Transportation Commission		35 MoReg 1174R		
7 CSR 10-16.035	Missouri Highways and Transportation Commission		35 MoReg 1175		
7 CSR 10-16.040	Missouri Highways and Transportation Commission		35 MoReg 1178R		
7 CSR 10-16.045	Missouri Highways and Transportation Commission		35 MoReg 1178		
7 CSR 10-16.050	Missouri Highways and Transportation Commission		35 MoReg 1180		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				35 MoReg 1138 35 MoReg 1213 This Issue
7 CSR 60-2.010	Highway Safety Division	35 MoReg 722	35 MoReg 764		
7 CSR 60-2.030	Highway Safety Division	35 MoReg 724	35 MoReg 765		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 30-3.060	Division of Labor Standards		This Issue		
8 CSR 60-4.040	Missouri Commission on Human Rights		35 MoReg 765	35 MoReg 1277	
8 CSR 60-4.045	Missouri Commission on Human Rights		35 MoReg 765	35 MoReg 1277	
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-7.090	Director, Department of Mental Health		35 MoReg 645	35 MoReg 1211	
9 CSR 30-4.034	Certification Standards		35 MoReg 935	This Issue	
9 CSR 30-4.035	Certification Standards		35 MoReg 646	35 MoReg 1211	
9 CSR 30-4.042	Certification Standards		35 MoReg 646	35 MoReg 1211	
9 CSR 30-4.045	Certification Standards	35 MoReg 1017	35 MoReg 1022		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-2.070	Air Conservation Commission		35 MoReg 766R	This IssueR	
10 CSR 10-3.090	Air Conservation Commission		35 MoReg 766R	This IssueR	
10 CSR 10-4.070	Air Conservation Commission		35 MoReg 767R	This IssueR	
10 CSR 10-5.160	Air Conservation Commission		35 MoReg 767R	This IssueR	
10 CSR 10-5.480	Air Conservation Commission		35 MoReg 1080		
10 CSR 10-6.020	Air Conservation Commission		35 MoReg 858		
10 CSR 10-6.070	Air Conservation Commission		35 MoReg 1091		
10 CSR 10-6.075	Air Conservation Commission		35 MoReg 1092		
10 CSR 10-6.080	Air Conservation Commission		35 MoReg 1094		
10 CSR 10-6.110	Air Conservation Commission		35 MoReg 461	35 MoReg 1134	
10 CSR 10-6.165	Air Conservation Commission		35 MoReg 768	This Issue	
10 CSR 10-6.400	Air Conservation Commission		35 MoReg 1095		
10 CSR 60-4.025	Safe Drinking Water Commission		35 MoReg 769		
10 CSR 60-5.010	Safe Drinking Water Commission		35 MoReg 778		
10 CSR 60-7.010	Safe Drinking Water Commission		35 MoReg 778		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 60-8.010	Safe Drinking Water Commission		35 MoReg 781		
10 CSR 60-8.030	Safe Drinking Water Commission		35 MoReg 785		
10 CSR 60-9.010	Safe Drinking Water Commission		35 MoReg 793		
10 CSR 70-4.010	Soil and Water Districts Commission		35 MoReg 214R 35 MoReg 214		
10 CSR 70-5.010	Soil and Water Districts Commission	34 MoReg 1779	35 MoReg 216R 35 MoReg 216		
10 CSR 70-5.040	Soil and Water Districts Commission	34 MoReg 1783	35 MoReg 217R 35 MoReg 217		
10 CSR 70-5.050	Soil and Water Districts Commission	34 MoReg 1785	35 MoReg 217R 35 MoReg 217		
10 CSR 70-5.060	Soil and Water Districts Commission	34 MoReg 1786	35 MoReg 219R 35 MoReg 219		
10 CSR 140-8.010	Division of Energy		35 MoReg 1022		
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 45-1.010	Missouri Gaming Commission		35 MoReg 1095		
11 CSR 45-1.090	Missouri Gaming Commission		35 MoReg 1246		
11 CSR 45-4.020	Missouri Gaming Commission		35 MoReg 1247		
11 CSR 45-5.051	Missouri Gaming Commission		35 MoReg 1249		
11 CSR 45-5.075	Missouri Gaming Commission		35 MoReg 1250		
11 CSR 45-5.200	Missouri Gaming Commission		35 MoReg 1250		
11 CSR 45-5.300	Missouri Gaming Commission		35 MoReg 1251		
11 CSR 45-9.113	Missouri Gaming Commission		35 MoReg 1096		
11 CSR 45-9.114	Missouri Gaming Commission		35 MoReg 1098		
11 CSR 45-9.115	Missouri Gaming Commission		35 MoReg 975		
11 CSR 45-9.118	Missouri Gaming Commission		35 MoReg 1098		
11 CSR 45-30.020	Missouri Gaming Commission		35 MoReg 1252		
11 CSR 45-30.025	Missouri Gaming Commission		35 MoReg 1252		
11 CSR 45-30.030	Missouri Gaming Commission		35 MoReg 1253R		
11 CSR 45-30.035	Missouri Gaming Commission		35 MoReg 1253		
11 CSR 45-30.070	Missouri Gaming Commission		35 MoReg 1254		
11 CSR 45-30.175	Missouri Gaming Commission		35 MoReg 1254		
11 CSR 45-30.190	Missouri Gaming Commission	35 MoReg 1241	35 MoReg 1254		
11 CSR 45-30.205	Missouri Gaming Commission		35 MoReg 1255		
11 CSR 45-30.210	Missouri Gaming Commission		35 MoReg 1255		
11 CSR 45-30.225	Missouri Gaming Commission		35 MoReg 1256		
11 CSR 45-30.355	Missouri Gaming Commission		35 MoReg 1256		
11 CSR 45-30.535	Missouri Gaming Commission		35 MoReg 1256		
11 CSR 45-30.540	Missouri Gaming Commission		35 MoReg 1257		
11 CSR 45-30.600	Missouri Gaming Commission		35 MoReg 1257		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-2.250	Director of Revenue		35 MoReg 1029		
12 CSR 10-3.052	Director of Revenue		This IssueR		
12 CSR 10-3.112	Director of Revenue		35 MoReg 1257R		
12 CSR 10-3.118	Director of Revenue		35 MoReg 1258R		
12 CSR 10-3.126	Director of Revenue		35 MoReg 1258R		
12 CSR 10-3.130	Director of Revenue		35 MoReg 1258R		
12 CSR 10-3.134	Director of Revenue		35 MoReg 1258R		
12 CSR 10-3.140	Director of Revenue		35 MoReg 1259R		
12 CSR 10-3.146	Director of Revenue		35 MoReg 1259R		
12 CSR 10-3.192	Director of Revenue		35 MoReg 1259R		
12 CSR 10-3.194	Director of Revenue		35 MoReg 1259R		
12 CSR 10-3.196	Director of Revenue		35 MoReg 1260R		
12 CSR 10-3.198	Director of Revenue		35 MoReg 1260R		
12 CSR 10-3.204	Director of Revenue		35 MoReg 1260R		
12 CSR 10-3.228	Director of Revenue		35 MoReg 1260R		
12 CSR 10-3.249	Director of Revenue		35 MoReg 575R	35 MoReg 1136R	
12 CSR 10-3.264	Director of Revenue		35 MoReg 1261R		
12 CSR 10-3.266	Director of Revenue		35 MoReg 1261R		
12 CSR 10-3.288	Director of Revenue		35 MoReg 1261R		
12 CSR 10-3.330	Director of Revenue		35 MoReg 1314R		
12 CSR 10-3.333	Director of Revenue		35 MoReg 1314R		
12 CSR 10-3.350	Director of Revenue		35 MoReg 1314R		
12 CSR 10-3.352	Director of Revenue		35 MoReg 1315R		
12 CSR 10-3.354	Director of Revenue		35 MoReg 1315R		
12 CSR 10-3.376	Director of Revenue		35 MoReg 1315R		
12 CSR 10-3.382	Director of Revenue		35 MoReg 1315R		
12 CSR 10-3.388	Director of Revenue		35 MoReg 1316R		
12 CSR 10-3.406	Director of Revenue		35 MoReg 1316R		
12 CSR 10-3.414	Director of Revenue		35 MoReg 1316R		
12 CSR 10-3.426	Director of Revenue		This IssueR		
12 CSR 10-3.428	Director of Revenue		This IssueR		
12 CSR 10-3.431	Director of Revenue		This IssueR		
12 CSR 10-3.434	Director of Revenue		This IssueR		
12 CSR 10-3.436	Director of Revenue		This IssueR		
12 CSR 10-3.438	Director of Revenue		This IssueR		
12 CSR 10-3.443	Director of Revenue		This IssueR		
12 CSR 10-3.444	Director of Revenue		This IssueR		
12 CSR 10-3.446	Director of Revenue		This IssueR		
12 CSR 10-3.490	Director of Revenue		This IssueR		
12 CSR 10-3.496	Director of Revenue		This IssueR		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
12 CSR 10-3.830	Director of Revenue		35 MoReg 575R	35 MoReg 1137R	
12 CSR 10-3.832	Director of Revenue		35 MoReg 575R	35 MoReg 1137R	
12 CSR 10-24.305	Director of Revenue		35 MoReg 1316		
12 CSR 10-24.430	Director of Revenue	35 MoReg 1065	35 MoReg 1100		
12 CSR 10-24.480	Director of Revenue	35 MoReg 1066	35 MoReg 1103		
12 CSR 10-24.485	Director of Revenue	35 MoReg 1066	35 MoReg 1106		
12 CSR 10-26.020	Director of Revenue	35 MoReg 1309	35 MoReg 1317		
12 CSR 10-103.390	Director of Revenue		35 MoReg 685	35 MoReg 1277	
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 35-38.010	Children's Division		35 MoReg 576	35 MoReg 1278	
13 CSR 35-38.011	Children's Division		35 MoReg 976		
13 CSR 35-38.021	Children's Division		35 MoReg 976		
13 CSR 35-38.030	Children's Division		35 MoReg 976		
	<i>(Changed from 13 CSR 40-38.010)</i>				
13 CSR 35-38.040	Children's Division		35 MoReg 977		
	<i>(Changed from 13 CSR 40-38.020)</i>				
13 CSR 35-60.070	Children's Division		35 MoReg 582	35 MoReg 1280	
13 CSR 40-38.010	Family Support Division		35 MoReg 976		
	<i>(Changed to 13 CSR 35-38.030)</i>				
13 CSR 40-38.020	Family Support Division		35 MoReg 977		
	<i>(Changed to 13 CSR 35-38.040)</i>				
13 CSR 70-3.020	MO HealthNet Division		35 MoReg 977		
13 CSR 70-3.130	MO HealthNet Division		35 MoReg 1261		
13 CSR 70-3.140	MO HealthNet Division		35 MoReg 980		
13 CSR 70-3.160	MO HealthNet Division		35 MoReg 980		
13 CSR 70-3.200	MO HealthNet Division		35 MoReg 685	This Issue	
13 CSR 70-10.015	MO HealthNet Division	35 MoReg 635	35 MoReg 647	35 MoReg 1137	
13 CSR 70-10.080	MO HealthNet Division		35 MoReg 652	35 MoReg 1137	
13 CSR 70-15.010	MO HealthNet Division	35 MoReg 1067	35 MoReg 1108		
13 CSR 70-15.110	MO HealthNet Division	35 MoReg 1070	35 MoReg 1111		
13 CSR 70-20.320	MO HealthNet Division	35 MoReg 1072	35 MoReg 1114		
13 CSR 70-90.010	MO HealthNet Division		35 MoReg 688	This Issue	
13 CSR 70-91.030	MO HealthNet Division		35 MoReg 1029R		
<b>ELECTED OFFICIALS</b>					
15 CSR 30-45.040	Secretary of State		35 MoReg 691	35 MoReg 1211	
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-4.010	The Public School Retirement System of Missouri		35 MoReg 1262		
16 CSR 10-5.010	The Public School Retirement System of Missouri		35 MoReg 1263		
16 CSR 10-6.040	The Public School Retirement System of Missouri		35 MoReg 1263		
16 CSR 50-2.010	The County Employees' Retirement Fund		35 MoReg 1029		
16 CSR 50-2.020	The County Employees' Retirement Fund		35 MoReg 1030		
16 CSR 50-2.030	The County Employees' Retirement Fund		35 MoReg 1030		
16 CSR 50-2.050	The County Employees' Retirement Fund		35 MoReg 1031		
16 CSR 50-2.110	The County Employees' Retirement Fund		35 MoReg 1031		
16 CSR 50-3.010	The County Employees' Retirement Fund		35 MoReg 1031		
<b>BOARDS OF POLICE COMMISSIONERS</b>					
17 CSR 20-3.015	St. Louis Board of Police Commissioners		35 MoReg 862	35 MoReg 1326	
17 CSR 20-3.025	St. Louis Board of Police Commissioners		35 MoReg 863	35 MoReg 1326	
17 CSR 20-3.035	St. Louis Board of Police Commissioners		35 MoReg 863	35 MoReg 1326	
17 CSR 20-3.045	St. Louis Board of Police Commissioners		35 MoReg 864	35 MoReg 1326	
17 CSR 20-3.055	St. Louis Board of Police Commissioners		35 MoReg 864	35 MoReg 1327	
17 CSR 20-3.065	St. Louis Board of Police Commissioners		35 MoReg 865	35 MoReg 1327	
17 CSR 20-3.075	St. Louis Board of Police Commissioners		35 MoReg 865	35 MoReg 1327	
17 CSR 20-3.085	St. Louis Board of Police Commissioners		35 MoReg 866	35 MoReg 1327	
17 CSR 20-3.095	St. Louis Board of Police Commissioners		35 MoReg 866	35 MoReg 1327	
17 CSR 20-3.105	St. Louis Board of Police Commissioners		35 MoReg 866	35 MoReg 1327	
17 CSR 20-3.115	St. Louis Board of Police Commissioners		35 MoReg 867	35 MoReg 1328	
17 CSR 20-3.125	St. Louis Board of Police Commissioners		35 MoReg 867	35 MoReg 1328	
17 CSR 20-3.135	St. Louis Board of Police Commissioners		35 MoReg 868	35 MoReg 1328	
<b>PUBLIC DEFENDER COMMISSION</b>					
18 CSR 10-2.010	Office of State Public Defender		35 MoReg 1180		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 30-1.074	Division of Regulation and Licensure	35 MoReg 1072	35 MoReg 1116		
19 CSR 60-50	Missouri Health Facilities Review Committee				35 MoReg 1139 35 MoReg 1284 35 MoReg 1329 This Issue
<b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b>					
20 CSR	Construction Claims Binding Arbitration Cap				33 MoReg 150 33 MoReg 2446 35 MoReg 654
20 CSR	Medical Malpractice				31 MoReg 616 32 MoReg 545
20 CSR	Sovereign Immunity Limits				33 MoReg 150 33 MoReg 2446 35 MoReg 318

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR	State Legal Expense Fund Cap				33 MoReg 150 33 MoReg 2446 35 MoReg 654
20 CSR 500-2.300	Property and Casualty		35 MoReg 691	35 MoReg 1283	
20 CSR 500-10.200	Property and Casualty		35 MoReg 793		
20 CSR 1140-30.010	Division of Finance	35 MoReg 725R	35 MoReg 794R		
20 CSR 1140-30.030	Division of Finance	35 MoReg 727R	35 MoReg 794R		
20 CSR 1140-30.040	Division of Finance	35 MoReg 728R	35 MoReg 794R		
20 CSR 1140-30.050	Division of Finance	35 MoReg 729R	35 MoReg 795R		
20 CSR 1140-30.070	Division of Finance	35 MoReg 730R	35 MoReg 795R		
20 CSR 1140-30.080	Division of Finance	35 MoReg 731R	35 MoReg 795R		
20 CSR 1140-30.090	Division of Finance	35 MoReg 732R	35 MoReg 796R		
20 CSR 1140-30.100	Division of Finance	35 MoReg 733R	35 MoReg 796R		
20 CSR 1140-30.110	Division of Finance	35 MoReg 734R	35 MoReg 797R		
20 CSR 1140-30.120	Division of Finance	35 MoReg 736R	35 MoReg 797R		
20 CSR 1140-30.200	Division of Finance	35 MoReg 737	35 MoReg 797		
20 CSR 1140-30.210	Division of Finance	35 MoReg 738	35 MoReg 798		
20 CSR 1140-30.220	Division of Finance	35 MoReg 739	35 MoReg 800		
20 CSR 1140-30.230	Division of Finance	35 MoReg 741	35 MoReg 800		
20 CSR 1140-30.240	Division of Finance	35 MoReg 742	35 MoReg 800		
20 CSR 1140-30.250	Division of Finance	35 MoReg 743	35 MoReg 803		
20 CSR 1140-30.260	Division of Finance	35 MoReg 744	35 MoReg 803		
20 CSR 1140-30.270	Division of Finance	35 MoReg 745	35 MoReg 803		
20 CSR 1140-30.280	Division of Finance	35 MoReg 747	35 MoReg 804		
20 CSR 1140-30.290	Division of Finance	35 MoReg 748	35 MoReg 805		
20 CSR 1140-30.300	Division of Finance	35 MoReg 749	35 MoReg 807		
20 CSR 1140-30.310	Division of Finance	35 MoReg 750	35 MoReg 807		
20 CSR 1140-30.320	Division of Finance	35 MoReg 752	35 MoReg 810		
20 CSR 1140-31.010	Division of Finance		35 MoReg 810		
20 CSR 1140-31.020	Division of Finance		35 MoReg 810		
20 CSR 2030-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects	35 MoReg 1242	35 MoReg 1264		
20 CSR 2110-2.240	Missouri Dental Board		35 MoReg 1267		
20 CSR 2120-2.100	State Board of Embalmers and Funeral Directors	35 MoReg 1242	35 MoReg 1267		
20 CSR 2120-2.105	State Board of Embalmers and Funeral Directors		35 MoReg 1271R		
20 CSR 2150-5.100	State Board of Registration for the Healing Arts		35 MoReg 869R 35 MoReg 870	This IssueR This Issue	
20 CSR 2200-4.100	State Board of Nursing		35 MoReg 872R 35 MoReg 872	This IssueR This Issue	
20 CSR 2200-4.200	State Board of Nursing		35 MoReg 879R 35 MoReg 879	This IssueR This Issue	
20 CSR 2205-5.010	Missouri Board of Occupational Therapy		35 MoReg 1271R 35 MoReg 1271		
20 CSR 2210-2.030	State Board of Optometry		This Issue		
20 CSR 2263-2.031	State Committee for Social Workers	35 MoReg 1310	35 MoReg 1320		
20 CSR 2263-2.045	State Committee for Social Workers	35 MoReg 1311	35 MoReg 1320		
20 CSR 2263-2.050	State Committee for Social Workers	35 MoReg 1312	35 MoReg 1323		
<b>MISSOURI CONSOLIDATED HEALTH CARE PLAN</b>					
22 CSR 10-2.070	Health Care Plan		35 MoReg 1124R 35 MoReg 1124		
22 CSR 10-3.070	Health Care Plan		35 MoReg 1129R 35 MoReg 1129		

Agency	Publication	Effective	Expiration
<b>Office of Administration</b>			
<b>Administrative Hearing Commission</b>			
1 CSR 15-3.350	Complaints . . . . .	This Issue . . . . .	Sept. 9, 2010 . . . . .
1 CSR 15-3.380	Answers and Other Responsive Pleadings . . . . .	This Issue . . . . .	Sept. 9, 2010 . . . . .
1 CSR 15-3.436	Involuntary Dismissal . . . . .	This Issue . . . . .	Sept. 9, 2010 . . . . .
1 CSR 15-3.446	Decision on the Complaint without a Hearing . . . . .	This Issue . . . . .	Sept. 9, 2010 . . . . .
1 CSR 15-3.490	Hearings on Complaints; Default . . . . .	This Issue . . . . .	Sept. 9, 2010 . . . . .
<b>Personnel Advisory Board and Division of Personnel</b>			
1 CSR 20-1.010	General Organization . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-1.030	Personnel Rules . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-2.015	Broad Classification Bands for Managers . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-3.010	Examinations . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-3.020	Registers . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-3.030	Certification and Appointment . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-3.070	Separation, Suspension, and Demotion . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-3.080	General Provisions and Prohibitions . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-4.010	Appeals . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
1 CSR 20-4.020	Grievance Procedures . . . . .	This Issue . . . . .	Sept. 7, 2010 . . . . .
<b>Missouri Ethics Commission</b>			
1 CSR 50-3.010	Late Fee . . . . .	This Issue . . . . .	Sept. 9, 2010 . . . . .
<b>Department of Agriculture</b>			
<b>Plant Industries</b>			
2 CSR 70-11.060	Thousand Cankers Disease of Walnut Exterior Quarantine . . . . .	.35 MoReg 721 . . . . .	April 12, 2010 . . . . .
<b>Department of Transportation</b>			
<b>Highway Safety Division</b>			
7 CSR 60-2.010	Definitions . . . . .	.35 MoReg 722 . . . . .	April 18, 2010 . . . . .
7 CSR 60-2.030	Standards and Specifications . . . . .	.35 MoReg 724 . . . . .	April 18, 2010 . . . . .
<b>Department of Mental Health</b>			
<b>Certification Standards</b>			
9 CSR 30-4.045	Intensive Community Psychiatric Rehabilitation . . . . .	.35 MoReg 1017 . . . . .	July 1, 2010 . . . . .
<b>Department of Public Safety</b>			
<b>Missouri Gaming Commission</b>			
11 CSR 45-30.190	Rules of Play . . . . .	.35 MoReg 1241 . . . . .	Aug. 28, 2010 . . . . .
<b>Department of Revenue</b>			
<b>Director of Revenue</b>			
12 CSR 10-24.430	Back of Driver License, Permits and Nondriver License . . . . .	.35 MoReg 1065 . . . . .	July 1, 2010 . . . . .
12 CSR 10-24.480	Boater Identification Indicator on Driver or Nondriver License . . . . .	.35 MoReg 1066 . . . . .	July 1, 2010 . . . . .
12 CSR 10-24.485	Permanent Disability Indicator on Driver or Nondriver License . . . . .	.35 MoReg 1066 . . . . .	July 4, 2010 . . . . .
12 CSR 10-26.020	License Requirements for Auctions, Dealers, Franchisors, and Manufacturers . . . . .	.35 MoReg 1309 . . . . .	Aug. 28, 2010 . . . . .
<b>Department of Social Services</b>			
<b>MO HealthNet Division</b>			
13 CSR 70-10.015	Prospective Reimbursement Plan for Nursing Facility Services . . . . .	.35 MoReg 635 . . . . .	April 1, 2010 . . . . .
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology . . . . .	.35 MoReg 1067 . . . . .	July 1, 2010 . . . . .
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	.35 MoReg 1070 . . . . .	July 1, 2010 . . . . .
13 CSR 70-15.160	Prospective Outpatient Hospital Services Reimbursement Methodology . . . . .	Nov.1, 2010 Issue . . . . .	Oct. 1, 2010 . . . . .
13 CSR 70-20.320	Pharmacy Reimbursement Allowance . . . . .	.35 MoReg 1072 . . . . .	July 1, 2010 . . . . .

Agency	Publication	Effective	Expiration
<b>Department of Health and Senior Services</b>			
<b>Division of Regulation and Licensure</b>			
19 CSR 30-1.074	Dispensing Without a Prescription . . . . .	.35 MoReg 1072 . . . . .	Sept. 28, 2010 . . . . . March 26, 2011
<b>Department of Insurance, Financial Institutions and Professional Registration</b>			
<b>Division of Finance</b>			
20 CSR 1140-30.010	Definitions . . . . .	.35 MoReg 725 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.030	Licensing . . . . .	.35 MoReg 727 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.040	Operations and Supervision . . . . .	.35 MoReg 728 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.050	Annual Report of Mortgage Brokerage Activity and Mortgage Servicing Activity . . . . .	.35 MoReg 729 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.070	Advertising . . . . .	.35 MoReg 730 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.080	Loan Brokerage Practices . . . . .	.35 MoReg 731 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.090	Loan Application Practices . . . . .	.35 MoReg 732 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.100	General Practices . . . . .	.35 MoReg 733 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.110	Commitment and Closing Practices . . . . .	.35 MoReg 734 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.120	Exemption Guidelines . . . . .	.35 MoReg 736 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.200	Definitions . . . . .	.35 MoReg 737 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.210	Licensing of Mortgage Loan Originators . . . . .	.35 MoReg 738 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.220	Self-Reporting Requirements . . . . .	.35 MoReg 739 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.230	Challenges to Information Submitted to NMLSR . . . . .	.35 MoReg 741 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.240	Operations and Supervision of Residential Mortgage Loan Brokers . . . . .	.35 MoReg 742 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.250	Change in Business Activities . . . . .	.35 MoReg 743 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.260	Full-Service Office Requirement . . . . .	.35 MoReg 744 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.270	Maintenance of Records . . . . .	.35 MoReg 745 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.280	Authorized Advance Fees and Escrow Requirements . . . . .	.35 MoReg 747 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.290	In-State Office Wavier For Services . . . . .	.35 MoReg 748 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.300	Annual Report . . . . .	.35 MoReg 749 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.310	Bonding Requirements . . . . .	.35 MoReg 750 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
20 CSR 1140-30.320	Exempt List . . . . .	.35 MoReg 752 . . . . .	April 18, 2009 . . . . . Jan. 26, 2011
<b>Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects</b>			
20 CSR 2030-6.015	Application, Renewal, Reinstatement, Relicensure, and Miscellaneous Fees . . . . .	.35 MoReg 1242 . . . . .	July 30, 2010 . . . . . Feb. 24, 2011
<b>State Board of Embalmers and Funeral Directors</b>			
20 CSR 2120-2.100	Fees . . . . .	.35 MoReg 1242 . . . . .	Aug. 5, 2010 . . . . . Feb. 24, 2011
<b>State Board of Pharmacy</b>			
20 CSR 2220-2.005	Definitions . . . . .	.Next Issue . . . . .	Sept. 13, 2010 . . . . . March 11, 2011
<b>State Committee for Social Workers</b>			
20 CSR 2263-2.031	Acceptable Supervisors and Supervisor Responsibilities . . . . .	.35 MoReg 1310 . . . . .	Aug. 28, 2010 . . . . . Feb. 24, 2011
20 CSR 2263-2.045	Provisional Licenses . . . . .	.35 MoReg 1311 . . . . .	Aug. 28, 2010 . . . . . Feb. 24, 2011
20 CSR 2263-2.050	Application for Licensure as a Social Worker . . . . .	.35 MoReg 1312 . . . . .	Aug. 28, 2010 . . . . . Feb. 24, 2011



<b>Executive Orders</b>	<b>Subject Matter</b>	<b>Filed Date</b>	<b>Publication</b>
	<b>2010</b>		
<b>10-25</b>	Extends the declaration of emergency contained in Executive Order 10-22 for the purpose of protecting the safety and welfare of our fellow Missourians	July 20, 2010	35 MoReg 1244
<b>10-24</b>	Creates the Code of Fair Practices for the Executive Branch of State Government and supersedes paragraph one of Executive Order 05-30	July 9, 2010	35 MoReg 1167
<b>Emergency Declaration</b>	Proclaims that an emergency exists concerning the damage and structural integrity of the U.S. Route 24 bridge over the Grand River	July 2, 2010	35 MoReg 1165
<b>10-23</b>	Activates the state militia in response to severe weather that began on June 12	June 23, 2010	35 MoReg 1078
<b>10-22</b>	Declares a state of emergency and directs the Missouri State Emergency Operations Plan be activated due to severe weather that began on June 12	June 21, 2010	35 MoReg 1076
<b>10-21</b>	Activates the Missouri State Emergency Operations Center	June 15, 2010	35 MoReg 1018
<b>10-20</b>	Establishes the Missouri Civil War Sesquicentennial Commission	April 2, 2010	35 MoReg 754
<b>10-19</b>	Amends Executive Order 09-17 to give the commissioner of the Office of Administration supervisory authority over the Transform Missouri Project	March 2, 2010	35 MoReg 637
<b>10-18</b>	Establishes the Children in Nature Challenge to challenge Missouri communities to take action to enhance children's education about nature, and to increase children's opportunities to personally experience nature and the outdoors	Feb. 26, 2010	35 MoReg 573
<b>10-17</b>	Establishes a Missouri Emancipation Day Commission to promote, consider, and recommend appropriate activities for the annual recognition and celebration of Emancipation Day	Feb. 2, 2010	35 MoReg 525
<b>10-16</b>	Transfers the scholarship portion of the A+ Schools Program from the Missouri Department of Elementary and Secondary Education to the Missouri Department of Higher Education	Jan. 29, 2010	35 MoReg 447
<b>10-15</b>	Transfers the Breath Alcohol Program from the Missouri Department of Transportation to the Missouri Department of Health and Senior Services	Jan. 29, 2010	35 MoReg 445
<b>10-14</b>	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 29, 2010	35 MoReg 443
<b>10-13</b>	Directs the Department of Social Services to disband the Missouri Task Force on Youth Aging Out of Foster Care	Jan. 15, 2010	35 MoReg 364
<b>10-12</b>	Rescinds Executive Orders 98-14, 95-21, 95-17, and 94-19 and terminates the Governor's Commission on Driving While Intoxicated and Impaired Driving	Jan. 15, 2010	35 MoReg 363
<b>10-11</b>	Rescinds Executive Order 05-41 and terminates the Governor's Advisory Council for Veterans Affairs and assigns its duties to the Missouri Veterans Commission	Jan. 15, 2010	35 MoReg 362
<b>10-10</b>	Rescinds Executive Order 01-08 and terminates the Personal Independence Commission and assigns its duties to the Governor's Council on Disability	Jan. 15, 2010	35 MoReg 361
<b>10-09</b>	Rescinds Executive Orders 95-10, 96-11, and 98-13 and terminates the Governor's Council on AIDS and transfers their duties to the Statewide HIV/STD Prevention Community Planning Group within the Department of Health and Senior Services	Jan. 15, 2010	35 MoReg 360
<b>10-08</b>	Rescinds Executive Order 04-07 and terminates the Missouri Commission on Patient Safety	Jan. 15, 2010	35 MoReg 358
<b>10-07</b>	Rescinds Executive Order 01-16 and terminates the Missouri Commission on Intergovernmental Cooperation	Jan. 15, 2010	35 MoReg 357
<b>10-06</b>	Rescinds Executive Order 05-13 and terminates the Governor's Advisory Council on Plant Biotechnology and assigns its duties to the Missouri Technology Corporation	Jan. 15, 2010	35 MoReg 356
<b>10-05</b>	Rescinds Executive Order 95-28 and terminates the Missouri Board of Geographic Names	Jan. 15, 2010	35 MoReg 355
<b>10-04</b>	Rescinds Executive Order 03-10 and terminates the Missouri Energy Policy Council	Jan. 15, 2010	35 MoReg 354
<b>10-03</b>	Rescinds Executive Order 03-01 and terminates the Missouri Lewis and Clark Bicentennial Commission	Jan. 15, 2010	35 MoReg 353
<b>10-02</b>	Rescinds Executive Order 07-29 and terminates the Governor's Advisory Council on Aging and assigns its duties to the State Board of Senior Services	Jan. 15, 2010	35 MoReg 352
<b>10-01</b>	Rescinds Executive Order 01-15 and terminates the Missouri Commission on Total Compensation	Jan. 15, 2010	35 MoReg 351

<b>Executive Orders</b>	<b>Subject Matter</b>	<b>Filed Date</b>	<b>Publication</b>
<b>2009</b>			
<b>09-29</b>	Outlines the suspension of federal commercial motor vehicle and driver laws during emergency declarations. Executive Orders 07-01 and 08-40 are superceded and replaced on February 1, 2010	December 31, 2009	35 MoReg 205
<b>09-28</b>	Establishes the post of Missouri Poet Laureate. Executive order 08-01 is superceded and replaced	December 24, 2009	35 MoReg 203
<b>09-27</b>	Creates the Missouri Office of Health Information Technology, referred to as MO-HITECH. Executive Order 06-03 is rescinded	November 4, 2009	34 MoReg 2587
<b>09-26</b>	Advises that state offices will be closed November 27, 2009	October 30, 2009	34 MoReg 2466
<b>09-25</b>	Creates the governor's faith-based and community service partnership for disaster recovery	September 21, 2009	34 MoReg 2361
<b>09-24</b>	Creates the prompt pay for a healthy Missouri project	September 11, 2009	34 MoReg 2313
<b>09-23</b>	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	September 1, 2009	34 MoReg 2139
<b>09-22</b>	Appoints the Home Building and Residential Energy Efficiency Advisory panel to issue recommendations on energy efficiency measures for the home building sector and consumers	August 20, 2009	34 MoReg 2137
<b>09-21</b>	Declares a state of emergency exists in the state of Missouri and directs that Missouri State Emergency Operations Plan remain activated	May 14, 2009	34 MoReg 1332
<b>09-20</b>	Gives the director of the Missouri Department of Natural Resources full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the interests of the public health and safety during the period of the emergency and the subsequent recovery period	May 12, 2009	34 MoReg 1331
<b>09-19</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	May 8, 2009	34 MoReg 1329
<b>09-18</b>	Orders that all state agencies whose building management falls under the direction of the Office of Administration shall institute policies that will result in reductions of energy consumption of two percent per year for each of the next ten years	April 23, 2009	34 MoReg 1273
<b>09-17</b>	Creates the Transform Missouri Project as well as the Taxpayer Accountability, Compliance, and Transparency Unit, and rescinds Executive Order 09-12	March 31, 2009	34 MoReg 828
<b>09-16</b>	Directs the Department of Corrections to lead a permanent, interagency steering team for the Missouri Reentry Process	March 26, 2009	34 MoReg 826
<b>09-15</b>	Expands the Missouri Automotive Jobs Task Force to consist of 18 members	March 24, 2009	34 MoReg 824
<b>09-14</b>	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	March 5, 2009	34 MoReg 761
<b>09-13</b>	Extends Executive Order 09-04 and Executive Order 09-07 through March 31, 2009	February 25, 2009	34 MoReg 657
<b>09-12</b>	Creates and establishes the Transform Missouri Initiative	February 20, 2009	34 MoReg 655
<b>09-11</b>	Orders the Department of Health and Senior Services and the Department of Social Services to transfer the Blindness Education, Screening and Treatment Program (BEST) to the Department of Social Services	February 4, 2009	34 MoReg 590
<b>09-10</b>	Orders the Department of Elementary and Secondary Education and the Department of Economic Development to transfer the Missouri Customized Training Program to the Department of Economic Development	February 4, 2009	34 MoReg 588
<b>09-09</b>	Transfers the various scholarship programs under the Departments of Agriculture, Elementary and Secondary Education, Higher Education, and Natural Resources to the Department of Higher Education	February 4, 2009	34 MoReg 585
<b>09-08</b>	Designates members of the governor's staff as having supervisory authority over departments, divisions, or agencies	February 2, 2009	34 MoReg 366
<b>09-07</b>	Gives the director of the Missouri Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on January 26	January 30, 2009	34 MoReg 364
<b>09-06</b>	Activates the state militia in response to the aftermath of severe storms that began on January 26	January 28, 2009	34 MoReg 362
<b>09-05</b>	Establishes a Complete Count Committee for the 2010 Census	January 27, 2009	34 MoReg 359
<b>09-04</b>	Declares a state of emergency and activates the Missouri State Emergency Operations Plan	January 26, 2009	34 MoReg 357
<b>09-03</b>	Directs the Missouri Department of Economic Development, working with the Missouri Development Finance Board, to create a pool of funds designated for low-interest and no-interest direct loans for small business	January 13, 2009	34 MoReg 281

**Executive  
Orders****Subject Matter****Filed Date****Publication**

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<b>09-02</b>	Creates the Economic Stimulus Coordination Council	January 13, 2009	34 MoReg 279
<b>09-01</b>	Creates the Missouri Automotive Jobs Task Force	January 13, 2009	34 MoReg 277

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The rule number and the MoReg publication date follow each entry to this index.

## ADMINISTRATION, OFFICE OF

### Administrative Hearing Commission

- answers and other responsive pleadings; 1 CSR 15-3.380; 10/1/10
- complaints; 1 CSR 15-3.350; 10/1/10
- decision on the complaint without a hearing; 1 CSR 15-3.446; 10/1/10
- fees and expenses; 1 CSR 15-3.560; 10/1/10
- filing of documents; fax filing; posting bond; 1 CSR 15-3.290; 10/1/10
- hearings on complaints; default; 1 CSR 15-3.490; 10/1/10
- involuntary dismissal; 1 CSR 15-3.436; 10/1/10
- motions; 1 CSR 15-3.480; 10/1/10
- voluntary dismissal, settlement, and consent orders; 1 CSR 15-3.431; 10/1/10
- written arguments; 1 CSR 15-3.500; 10/1/10

### Missouri Ethics Commission

- late fee; 1 CSR 50-3.010; 10/1/10

### Personnel Advisory Board and Division of Personnel

- appeals; 1 CSR 20-4.010; 10/1/10
- broad classification bands for managers; 1 CSR 20-2.015; 10/1/10
- certification and appointment; 1 CSR 20-3.030; 10/1/10
- examinations; 1 CSR 20-3.010; 10/1/10
- general organization; 1 CSR 20-1.010; 10/1/10
- general provisions and prohibitions; 1 CSR 20-3.080; 10/1/10
- grievance procedures; 1 CSR 20-4.020; 10/1/10
- personnel rules; 1 CSR 20-1.030; 10/1/10
- registers; 1 CSR 20-3.020; 10/1/10
- separation, suspension, and demotion; 1 CSR 20-3.070; 10/1/10

## AGRICULTURE

### plant industries

- thousand cankers disease of walnut exterior quarantine; 2 CSR 70-11.060; 5/17/10

### state milk board

- grading of milk and milk products, the; 2 CSR 80-3.070; 6/1/10

## AIR QUALITY, AIR POLLUTION CONTROL

- control of odors in the ambient air; 10 CSR 10-5.160; 5/17/10, 10/1/10
- definitions and common reference tables; 10 CSR 10-6.020; 6/1/10
- emission standards for hazardous air pollutants; 10 CSR 10-6.080; 8/2/10
- maximum achievable control technology regulations; 10 CSR 10-6.075; 8/2/10
- new source performance regulations; 10 CSR 10-6.070; 8/2/10
- reporting emission data, emission fees, and process information; 10 CSR 10-6.110; 3/1/10, 8/2/10
- restriction of emission of odors
  - 10 CSR 10-2.070; 5/17/10, 10/1/10
  - 10 CSR 10-3.090; 5/17/10, 10/1/10
  - 10 CSR 10-4.070; 5/17/10, 10/1/10
  - 10 CSR 10-6.165; 5/17/10, 10/1/10
- restriction of emission of particulate matter from industrial processes; 10 CSR 10-6.400; 8/2/10
- St. Louis area transportation conformity requirements; 10 CSR 10-5.480; 8/2/10

## ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, MISSOURI BOARD FOR

- application, renewal, reinstatement, relicensure, and miscellaneous fees; 20 CSR 2030-6.015; 9/1/10

## CERTIFICATE OF NEED PROGRAM

- application review schedule; 19 CSR 60-50; 8/2/10, 9/15/10, 10/1/10

## CHILDREN'S DIVISION

- adoption and guardianship subsidy; 13 CSR 35-38.010; 4/1/10, 9/1/10
- definition of adoption services; 13 CSR 35-38.030; 7/1/10
- definition of guardianship services; 13 CSR 35-38.011; 7/1/10
- foster care services for youth with elevated needs; 13 CSR 35-60.070; 4/1/10, 9/1/10
- provision of adoption services; 13 CSR 35-38.040; 7/1/10
- provision of guardianship services; 13 CSR 35-38.021; 7/1/10

## CONSERVATION COMMISSION

- black bass; 3 CSR 10-6.505; 10/1/10
- bullfrogs and green frogs; 3 CSR 10-12.115; 10/1/10
- deer
  - hunting seasons: general provisions; 3 CSR 10-7.431; 6/1/10, 8/16/10
- fishing
  - daily and possession limits; 3 CSR 10-12.140; 10/1/10
  - length limits; 3 CSR 10-12.145; 10/1/10
  - stone mill spring branch; 3 CSR 10-12.155; 10/1/10
- hunting and trapping; 3 CSR 10-12.125; 10/1/10
- hunting methods; 3 CSR 10-7.410; 6/1/10, 8/16/10
- migratory game birds and waterfowl: seasons, limits; 3 CSR 10-7.440; 8/16/10, 10/1/10
- nonresident Mississippi River roe fish commercial harvest permit; 3 CSR 10-10.724; 4/15/10, 7/1/10
- trout; 3 CSR 10-6.535; 10/1/10
- use of boats and motors; 3 CSR 10-12.110; 10/1/10
- vehicles, bicycles, horses, and horseback riding; 3 CSR 10-11.130; 9/1/10

## CONTROLLED SUBSTANCES

- dispensing without a prescription; 19 CSR 30-1.074; 8/2/10

## DENTAL BOARD, MISSOURI

- continuing dental education; 20 CSR 2110-2.240; 9/1/10

## ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF

- A+ Schools Program; 5 CSR 50-350.040; 8/2/10
- application for a career education of license to teach; 5 CSR 80-800.270; 3/1/10, 8/2/10
- application for an adult education and literacy certificate of license to teach; 5 CSR 80-800.280; 3/1/10, 8/2/10
- application for certificate of license to teach; 5 CSR 80-800.200; 3/1/10, 8/2/10
- application for certificate of license to teach for administrators; 5 CSR 80-800.220; 3/1/10, 8/2/10
- application for substitute certificate of license to teach; 5 CSR 80-800.290; 3/1/10, 8/2/10
- certificate of license to teach classifications; 5 CSR 80-800.360; 3/1/10, 8/2/10
- certificate of license to teach content areas; 5 CSR 80-800.350; 3/1/10, 8/2/10

general provisions governing programs authorized under the early childhood development act; 5 CSR 50-270.010; 2/1/10, 7/15/10

general provisions governing the consolidated grants under the Improving America's Schools Act; 5 CSR 50-321.010; 6/1/10

required assessments for professional education certification in Missouri; 5 CSR 80-800.380; 3/1/10, 8/2/10

temporary authorization certificate of license to teach; 5 CSR 80-800.260; 3/1/10, 8/2/10

#### **EMBALMERS AND FUNERAL DIRECTORS, STATE BOARD OF**

fees; 20 CSR 2120-2.100; 9/1/10

preneed fees; 20 CSR 2120-2.105; 9/1/10

#### **ENERGY, DIVISION OF**

certification of renewable energy and renewable energy standard compliance account; 10 CSR 140-8.010; 7/15/10

#### **EXECUTIVE ORDERS**

activates the state militia in response to severe weather that began on June 12; 10-23; 8/2/10

creates the Code of Fair Practices for the Executive Branch of State Government and supercedes paragraph one of Executive Order 05-30; 10-24; 8/16/10

declares a state of emergency and directs the Missouri State Emergency Operations Plan be activated due to severe weather that began on June 12; 10-22; 8/2/10

extends the declaration of emergency contained in Executive Order 10-22 for the purpose of protecting the safety and welfare of our fellow Missourians; 10-25; 9/1/10

proclaims that an emergency exists concerning the damage and structural integrity of the U.S. Route 24 bridge over the Grand River; Emergency Declaration; 8/16/10

#### **FAMILY SUPPORT DIVISION**

definition of adoption services; 13 CSR 40-38.010; 7/1/10

provision of adoption services; 13 CSR 40-38.020; 7/1/10

#### **FERTILIZER LAW**

guaranteed analysis when tonnage inspection fee is based on product constituent; 6 CSR 250-11.042; 5/17/10, 10/1/10

inspection fee on manipulated animal or vegetable manure fertilizers; 6 CSR 250-11.041; 5/17/10, 10/1/10

#### **FINANCE, DIVISION OF**

advertising; 20 CSR 1140-30.070; 5/17/10

annual report; 20 CSR 1140-30.300; 5/17/10

annual report of mortgage brokerage activity and mortgage servicing activity; 20 CSR 1140-30.050; 5/17/10

authorized advance fees and escrow requirements; 20 CSR 1140-30.280; 5/17/10

bonding requirements; 20 CSR 1140-30.310; 5/17/10

challenges to information submitted to NMLSR; 20 CSR 1140-30.230; 5/17/10

change in business activities; 20 CSR 1140-30.250; 5/17/10

commitment and closing practices; 20 CSR 1140-30.110; 5/17/10

definitions  
20 CSR 1140-30.010; 5/17/10  
20 CSR 1140-30.200; 5/17/10

exempt list; 20 CSR 1140-30.320; 5/17/10

exemption guidelines; 20 CSR 1140-30.120; 5/17/10

full service office requirement; 20 CSR 1140-30.260; 5/17/10

general organization-residential mortgage board; 20 CSR 1140-31.010; 5/17/10

general practices; 20 CSR 1140-30.100; 5/17/10

in-state office waiver for servicers; 20 CSR 1140-30.290; 5/17/10

licensing; 20 CSR 1140-30.030; 5/17/10

licensing of mortgage loan originators; 20 CSR 1140-30.210; 5/17/10

loan application practices; 20 CSR 1140-30.090; 5/17/10

loan brokerage practices; 20 CSR 1140-30.080; 5/17/10

maintenance of records; 20 CSR 1140-30.270; 5/17/10

operations and supervision; 20 CSR 1140-30.040; 5/17/10

operations and supervision of residential mortgage loan brokers; 20 CSR 1140-30.240; 5/17/10

rules of procedure; 20 CSR 1140-31.020; 5/17/10

self-reporting requirements; 20 CSR 1140-30.220; 5/17/10

#### **GAMING COMMISSION, MISSOURI**

##### **bingo**

advertising; 11 CSR 45-30.020; 9/1/10

approval of bingo paraphernalia; 11 CSR 45-30.540; 9/1/10

bingo card; 11 CSR 45-30.035; 9/1/10

bingo promotions; 11 CSR 45-30.025; 9/1/10

change of day and/or time of bingo occasion; 11 CSR 45-30.225; 9/1/10

electronic bingo card monitoring devices; 11 CSR 45-30.600; 9/1/10

game operation definitions; 11 CSR 45-30.205; 9/1/10

organization (operator) record-keeping requirements; 11 CSR 45-30.175; 9/1/10

penalties; 11 CSR 45-30.535; 9/1/10

regular bingo license; 11 CSR 45-30.070; 9/1/10

reports; 11 CSR 45-30.210; 9/1/10

rules of play; 11 CSR 45-30.190; 9/1/10

sale of pull-tab cards by bingo licensees; 11 CSR 45-30.355; 9/1/10

special bingo games; 11 CSR 45-30.030; 9/1/10

definitions; 11 CSR 45-1.090; 9/1/10

licenses, restrictions on licenses, licensing authority of the executive director, and other definitions; 11 CSR 45-4.020; 9/1/10

minimum internal control standards—standard M; 11 CSR 45-9.113; 8/2/10

minimum internal control standards—standard N; 11 CSR 45-9.114; 8/2/10

minimum internal control standards—standard O; 11 CSR 45-9.115; 7/1/10

minimum internal control standards—standard R; 11 CSR 45-9.118; 8/2/10

minimum standards for blackjack; 11 CSR 45-5.051; 9/1/10

organization and administration; 11 CSR 45-1.010; 8/2/10

payout percentage for table games and progressive table games; 11 CSR 45-5.075; 9/1/10

progressive slot machines; 11 CSR 45-5.200; 9/1/10

progressive table games; 11 CSR 45-5.300; 9/1/10

#### **HEALING ARTS, STATE BOARD OF**

collaborative practice; 20 CSR 2150-5.100; 6/1/10, 10/1/10

request for waiver; 20 CSR 2150-7.136; 10/1/09

#### **HIGHWAY SAFETY DIVISION**

breath alcohol ignition interlock device certification and operational requirements  
definitions; 7 CSR 60-2.010; 5/17/10

standards and specifications; 7 CSR 60-2.030; 5/17/10

#### **HIGHWAYS AND TRANSPORTATION COMMISSION**

description, organization, and information; 7 CSR 10-1.010; 3/15/10, 8/16/10

rest areas  
commission responsibilities and requirements; 7 CSR 10-16.035; 8/16/10

definitions; 7 CSR 10-16.020; 8/16/10

eligibility criteria; 7 CSR 10-16.030; 8/16/10

general information; 7 CSR 10-16.010; 8/16/10

licensee responsibilities and requirements; 7 CSR 10-16.045; 8/16/10

publication vending machine specifications; 7 CSR 10-16.040; 8/16/10

public information; 7 CSR 10-16.025; 8/16/10

publisher responsibilities and requirements; 7 CSR 10-16.050; 8/16/10

skill performance evaluation certificates for commercial drivers; 7  
CSR 10-25.010; 8/2/10, 8/16/10, 10/1/10

**HOUSING DEVELOPMENT COMMISSION, MISSOURI**

additional Missouri low income housing tax credit requirements;  
4 CSR 170-6.200; 7/1/10

adjusted gross income; 4 CSR 170-2.010; 7/1/10

approval and reservation process; 4 CSR 170-5.300; 7/1/10

approved mortgagor

4 CSR 170-3.010; 7/1/10

4 CSR 170-3.200; 7/1/10

application; 4 CSR 170-5.200; 7/1/10

application and notification process; 4 CSR 170-5.030; 7/1/10

compliance requirements; 4 CSR 170-5.050; 7/1/10

compliance requirements and recapture; 4 CSR 170-5.500; 7/1/10

criteria for eligibility statement

4 CSR 170-6.010; 7/1/10

4 CSR 170-6.100; 7/1/10

definitions

4 CSR 170-3.100; 7/1/10

4 CSR 170-4.100; 7/1/10

4 CSR 170-5.010; 7/1/10

financial reporting and compliance requirements for approved mort-  
gagors; 4 CSR 170-4.300; 7/1/10

income limitations; 4 CSR 170-2.100; 7/1/10

introduction; 4 CSR 170-5.100; 7/1/10

issuance of the tax credit

4 CSR 170-5.040; 7/1/10

4 CSR 170-5.400; 7/1/10

preparation of application; 4 CSR 170-5.020; 7/1/10

rules and limitations on earnings, dividends, and other distributions  
by approved mortgagors; 4 CSR 170-4.200; 7/1/10

supervision of mortgagors and sponsors; 4 CSR 170-4.010; 7/1/10

**INSURANCE**

property and casualty

cancellation and nonrenewal of automobile insurance; 20 CSR  
500-2.300; 5/3/10, 9/1/10

financial regulation; 20 CSR 500-10.200; 5/17/10

**LABOR AND INDUSTRIAL RELATIONS**

labor standards

occupational titles of work descriptions; 8 CSR 30-3.060;  
10/1/10

Missouri Commission on Human Rights

complainant's testimony at hearing; 8 CSR 60-4.045; 5/17/10,  
9/1/10

cost of travel to hearing; 8 CSR 60-4.040; 5/17/10, 9/1/10

**MENTAL HEALTH, DEPARTMENT OF**

admission criteria; 9 CSR 30-4.042; 4/15/10, 8/16/10

client records of a community psychiatric rehabilitation program;  
9 CSR 30-4.035; 4/15/10, 8/16/10

governing authority and program administration; 9 CSR 10-7.090;  
4/15/10, 8/16/10

intensive community psychiatric rehabilitation; 9 CSR 30-4.045;  
7/15/10

personnel and staff development; 9 CSR 10-4.034; 6/15/10

**MO HEALTHNET**

ambulance service reimbursement allowance; 13 CSR 70-3.200;  
5/3/10, 10/1/10

computation of provider overpayment by statistical sampling; 13 CSR  
70-3.130; 9/1/10

direct deposit of provider reimbursement; 13 CSR 71-3.140; 7/1/10

electronic submission of MO HealthNet claims and electronic remit-  
tance advices; 13 CSR 70-3.160; 7/1/10

federal reimbursement allowance (FRA); 13 CSR 70-15.110; 8/2/10

home health-care services; 13 CSR 70-90.010; 5/3/10, 10/1/10

inpatient hospital services reimbursement plan; outpatient hospital  
services reimbursement methodology; 13 CSR 70-15.010;  
8/2/10

insure Missouri; 13 CSR 70-4.120; 2/15/08

personal care assistance; 13 CSR 70-91.030; 7/15/10

pharmacy reimbursement allowance; 13 CSR 70-20.320; 8/2/10

prospective reimbursement plan for HIV nursing facility services; 13  
CSR 70-10.080; 4/15/10, 8/2/10

prospective reimbursement plan for nursing facility services; 13 CSR  
70-10.015; 4/15/10, 8/2/10

title XIX provider enrollment; 13 CSR 70-3.020; 7/1/10

**MISSOURI CONSOLIDATED HEALTH CARE PLAN**

public entity membership

coordination of benefits; 22 CSR 10-3.070; 8/2/10

state membership

coordination of benefits; 22 CSR 10-2.070; 8/2/10

**NURSING, STATE BOARD OF**

advanced practice nurse; 20 CSR 2200-4.100; 6/1/10, 10/1/10

advanced practice registered nurse; 20 CSR 2200-4.100; 6/1/10,  
10/1/10

collaborative practice; 20 CSR 2200-4.200; 6/1/10, 10/1/10

**OCCUPATIONAL THERAPY, MISSOURI BOARD OF**

continuing competency requirements; 20 CSR 2205-5.010; 9/1/10  
fees; 20 CSR 2205-1.050; 5/15/09

**OPTOMETRY, STATE BOARD OF**

license renewal; 20 CSR 2210-2.030; 10/1/10

**POLICE COMMISSIONERS, BOARD OF**

St. Louis

administration and command of the private security section;  
17 CSR 20-3.015; 6/1/10, 9/15/10

authority; 17 CSR 20-3.065; 6/1/10, 9/15/10

complaint/disciplinary procedures; 17 CSR 20-3.125; 6/1/10,  
9/15/10

definitions; 17 CSR 20-3.025; 6/1/10, 9/15/10

drug testing; 17 CSR 20-3.135; 6/1/10, 9/15/10

duties; 17 CSR 20-3.075; 6/1/10, 9/15/10

equipment; 17 CSR 20-3.095; 6/1/10, 9/15/10

field inspection; 17 CSR 20-3.115; 6/1/10, 9/15/10

licensing; 17 CSR 20-3.035; 6/1/10, 9/15/10

personnel records and fees; 17 CSR 20-3.045; 6/1/10, 9/15/10

training; 17 CSR 20-3.055; 6/1/10, 9/15/10

uniforms; 17 CSR 20-3.085; 6/1/10, 9/15/10

weapons; 17 CSR 20-3.105; 6/1/10, 9/15/10

**PUBLIC DEFENDER, OFFICE OF STATE**

definition of eligible cases; 18 CSR 10-2.010; 8/16/10

**PUBLIC SAFETY, DEPARTMENT OF**

Missouri State Water Patrol

filing requirements; 11 CSR 80-5.010; 2/17/09

**PUBLIC SERVICE COMMISSION**

complaints; 4 CSR 240-2.070; 5/3/10, 9/15/10

electric utility renewable energy standard filing requirements; 4  
CSR 240-3.156; 2/16/10, 8/16/10

electric utility renewable energy standard requirements; 4 CSR  
240-20.100; 2/16/10, 8/16/10

**RECORDS MANAGEMENT**

Missouri historical records advisory board (MHRAB) regrant pro-  
gram administration; 15 CSR 30-45.040; 5/3/10, 8/16/10

**RETIREMENT SYSTEMS**

county employees' retirement fund, the

certifying service and compensation; 16 CSR 50-2.050;  
7/15/10

creditable service; 16 CSR 50-3.010; 7/15/10

definitions; 16 CSR 50-2.010; 7/15/10

employee contributions; 16 CSR 50-2.020; 7/15/10

eligibility and participation; 16 CSR 50-2.030; 7/15/10

rehires; 16 CSR 50-2.110; 7/15/10  
 public school retirement system of Missouri, the  
 membership service credit  
 16 CSR 10-4.010; 9/1/10  
 16 CSR 10-6.040; 9/1/10  
 service retirement; 16 CSR 10-5.010; 9/1/10

#### SAFE DRINKING WATER COMMISSION

acceptable and alternate procedures for analyses; 10 CSR 60-5.010;  
 5/17/10  
 consumer confidence reports; 10 CSR 60-8.030; 5/17/10  
 ground water rule monitoring and treatment technique require-  
 ments; 10 CSR 60-4.025; 5/17/10  
 public notification of conditions affecting a public water supply; 10  
 CSR 60-8.010; 5/17/10  
 reporting requirements; 10 CSR 60-7.010; 5/17/10  
 requirements for maintaining public water system records; 10 CSR  
 60-9.010; 5/17/10

#### SOCIAL WORKERS, STATE COMMITTEE OF

acceptable supervisors and supervisor responsibilities; 20 CSR  
 2263-2.031; 9/15/10  
 application for licensure as a social worker; 20 CSR 2263-2.050;  
 9/15/10  
 provisional licenses; 20 CSR 2263-2.045; 9/15/10

#### SOIL AND WATER DISTRICTS COMMISSION

allocation of funds; 10 CSR 70-5.010; 2/1/10  
 application and eligibility for funds; 10 CSR 70-5.020; 9/1/09  
 apportionment of funds; 10 CSR 70-5.010; 9/1/09  
 commission administration of the cost-share program; 10 CSR 70-  
 5.060; 9/1/09, 2/1/10  
 conservation equipment incentive program; 10 CSR 70-9.010;  
 9/15/08  
 cost-share rates and reimbursement procedures; 10 CSR 70-5.040;  
 9/1/09, 2/1/10  
 definitions; 10 CSR 70-4.010; 2/1/10  
 design, layout and construction of proposed practices; operation  
 and maintenance; 10 CSR 70-5.030; 9/1/09  
 district administration of the cost-share program; 10 CSR 70-5.050;  
 9/1/09, 2/1/10

#### TAX

dealer licensure  
 license requirements for auctions, dealers, franchisors, and  
 manufacturers; 12 CSR 10-26.020; 9/15/10  
 driver license bureau rules  
 back of driver license, permits, and nondriver license; 12 CSR  
 10-24.430; 8/2/10  
 boater identification indicator on driver or nondriver license;  
 12 CSR 10-24.480; 8/2/10  
 commercial driver license requirements/exemptions; 12 CSR  
 10-24.305; 9/15/10  
 permanent disability indicator on driver or nondriver license;  
 12 CSR 10-24.485; 8/2/10  
 income tax  
 reciprocal agreements with other states for tax refund offsets;  
 12 CSR 10-2.250; 7/15/10  
 sales or use  
 assignments and bankruptcies; 12 CSR 10-3.130; 9/1/10  
 caterers or concessionaires; 12 CSR 10-3.406; 9/15/10  
 cigarette and other tobacco products sales; 12 CSR 10-3.428;  
 10/1/10  
 cities or counties may impose sales tax on domestic utilities;  
 12 CSR 10-3.333; 9/15/10  
 collection of tax on vehicles; 12 CSR 10-3.444; 10/1/10  
 construction materials; 12 CSR 10-3.388; 9/15/10  
 core deposits; 12 CSR 10-3.146; 9/1/10  
 diplomatic exemptions  
 acknowledgement and procedure for requesting; 12 CSR  
 10-3.832; 4/1/10, 8/2/10

records to be kept by sellers as evidence of exempt sales;  
 12 CSR 10-3.830; 4/1/10, 8/2/10  
 federal manufacturer's excise tax; 12 CSR 10-3.126; 9/1/10  
 florists; 12 CSR 10-3.288; 9/1/10  
 handicraft items made by senior citizens; 12 CSR 10-3.431;  
 10/1/10  
 interdepartmental transfers; 12 CSR 10-3.140; 9/1/10  
 leased departments or space; 12 CSR 10-3.118; 9/1/10  
 lessors-renters included; 12 CSR 10-3.228; 9/1/10  
 manufactured homes; 12 CSR 10-3.436; 10/1/10  
 misuse of sales tax data by cities; 12 CSR 10-3.490; 10/1/10  
 motor vehicle and trailer defined; 12 CSR 10-3.434; 10/1/10  
 motor vehicle leasing companies; 12 CSR 10-3.446; 10/1/10  
 motor vehicle leasing divisions; 12 CSR 10-3.443; 10/1/10  
 movies, records, and soundtracks; 12 CSR 10-3.350; 9/15/10  
 multistate statutes; 12 CSR 10-3.194; 9/1/10  
 newspaper defined; 12 CSR 10-3.112; 9/1/10  
 nonreturnable containers; 12 CSR 10-3.196; 9/1/10  
 paper towels, sales slips; 12 CSR 10-3.204; 9/1/10  
 pipeline pumping equipment; 12 CSR 10-3.354; 9/15/10  
 purchaser's responsibilities; 12 CSR 10-3.134; 9/1/10  
 realty; 12 CSR 10-3.330; 9/15/10  
 recording devices; 12 CSR 10-3.352; 9/15/10  
 repossessed tangible personal property; 12 CSR 10-3.264;  
 9/1/10  
 returnable containers; 12 CSR 10-3.198; 9/1/10  
 rural water districts; 12 CSR 10-3.376; 9/15/10  
 sale of ice; 12 CSR 10-3.052; 10/1/10  
 sales made to and by exempt organizations; 12 CSR 10-3.382;  
 9/15/10  
 sales of aircraft; 12 CSR 10-3.426; 10/1/10  
 sales to foreign diplomats; 12 CSR 10-3.249; 4/1/10, 8/2/10  
 sales to national banks and other financial institutions; 12  
 CSR 10-3.266; 9/1/10  
 seller's responsibilities; 12 CSR 10-3.192; 9/1/10  
 seller timely payment payment discount; 12 CSR 10-3.496;  
 10/1/10  
 tangible personal property mounted on motor vehicles; 12  
 CSR 10-3.438; 10/1/10  
 veterinary transactions; 12 CSR 10-103.390; 5/3/10, 9/1/10  
 yearbook sales; 12 CSR 10-3.414; 9/15/10

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## **Rulemaking 1-2-3**

Our drafting and style manual, Rulemaking 1-2-3, has undergone a few changes.

The updated rulemaking manual, in its entirety, can be found on our website.

For those who currently have a hard copy of the rulemaking manual, an update that contains the changed pages is available on our website. Please print the update and replace the necessary pages in your current manual.

Please visit [www.sos.mo.gov/adrules/downloads.asp](http://www.sos.mo.gov/adrules/downloads.asp) for links to the update and the current rulemaking manual.