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SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

MISSOURI  
REGISTER

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| January 3, 2011<br>January 18, 2011     | <b>February 1, 2011</b><br><b>February 15, 2011</b>   | February 28, 2011<br>February 28, 2011   | March 30, 2011<br>March 30, 2011         |
| February 1, 2011<br>February 15, 2011   | <b>March 1, 2011</b><br><b>March 15, 2011</b>         | March 31, 2011<br>March 31, 2011         | April 30, 2011<br>April 30, 2011         |
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| April 1, 2011<br>April 15, 2011         | <b>May 2, 2011</b><br><b>May 16, 2011</b>             | May 31, 2011<br>May 31, 2011             | June 30, 2011<br>June 30, 2011           |
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| July 1, 2011<br>July 15, 2011           | <b>August 1, 2011</b><br><b>August 15, 2011</b>       | August 31, 2011<br>August 31, 2011       | September 30, 2011<br>September 30, 2011 |
| August 1, 2011<br>August 15, 2011       | <b>September 1, 2011</b><br><b>September 15, 2011</b> | September 30, 2011<br>September 30, 2011 | October 30, 2011<br>October 30, 2011     |
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| October 3, 2011<br>October 17, 2011     | <b>November 1, 2011</b><br><b>November 15, 2011</b>   | November 30, 2011<br>November 30, 2011   | December 30, 2011<br>December 30, 2011   |

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

| Title      | Code of State Regulations | Division         | Chapter                | Rule                    |
|------------|---------------------------|------------------|------------------------|-------------------------|
| 1          | CSR                       | 10-              | 1.                     | 010                     |
| Department |                           | Agency, Division | General area regulated | Specific area regulated |

They are properly cited by using the full citation, i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**R**ules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

**R**ules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

**A**ll emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2015—Acupuncturist Advisory Committee  
Chapter 1—General Rules**

**EMERGENCY AMENDMENT**

**20 CSR 2015-1.030 Fees.** The advisory committee is proposing to amend section (3).

*PURPOSE:* The advisory committee is statutorily obligated to enforce and administer the provisions of sections 324.475–324.499, RSMo. Pursuant to section 324.481, RSMo, the Missouri State Board of Chiropractic Examiners upon recommendation of the Acupuncturist Advisory Committee shall set fees necessary to administer the provisions of sections 324.475–324.499, RSMo. The advisory committee is proposing to decrease the acupuncturist renewal fee.

*EMERGENCY STATEMENT:* The Missouri State Board of Chiropractic Examiners upon the recommendation of the Acupuncturist Advisory Committee is statutorily obligated to set all fees, by regulation, necessary to administer the provisions of sections 324.475–324.499, RSMo. Pursuant to section 324.481, RSMo, the advisory committee shall by regulation set the amount of fees authorized by sections 324.475–324.499, RSMo, to produce revenue which shall not substantially exceed the cost and expense of administering the provisions of sections 324.475–324.499, RSMo. Therefore, the

board upon recommendation by the advisory committee is proposing to decrease the biennial renewal fee from three hundred dollars (\$300) to one hundred fifty dollars (\$150) for the 2011 renewal period.

The acupuncturist licenses expire on June 30, 2011. The renewal notices for acupuncturists will be mailed April 1, 2011, and any acupuncturist wishing to reinstate or renew their license beginning April 2011 will be assessed the decreased renewal fee. Without this emergency amendment, the decreased fee requirement will not be effective in time for the renewal notice, and the advisory committee will collect more revenue than it is statutorily authorized to collect.

The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. In developing this emergency amendment, the committee has determined that the fee decrease is necessary for the 2011 renewal period to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 324.481.6, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The committee believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed April 1, 2011, becomes effective April 11, 2011, and expires January 18, 2012.

(3) The fees are established as follows:

(B) Acupuncturist Biennial Renewal Fee     [~~\$300.00~~/\$150.00

*AUTHORITY:* sections 324.490 and 324.493, RSMo 2000 and sections 324.481 and 324.487, RSMo Supp. 2010. This rule originally filed as 4 CSR 15-1.030. Original rule filed July 24, 2001, effective Feb. 28, 2002. Amended: Filed March 15, 2004, effective Sept. 30, 2004. Amended: Filed Feb. 15, 2005, effective Aug. 30, 2005. Moved to 20 CSR 2015-1.030, effective Aug. 28, 2006. Emergency amendment filed April 1, 2011, effective April 11, 2011, expires Jan. 18, 2012.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2095—Committee for Professional Counselors  
Chapter 1—General Rules**

**EMERGENCY AMENDMENT**

**20 CSR 2095-1.020 Fees.** The committee is proposing to amend subsection (1)(D).

*PURPOSE:* The Committee for Professional Counselors is statutorily obligated to enforce and administer the provisions of sections 337.500–337.540, RSMo. Fees are set so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.500–337.540, RSMo. Therefore, the committee is decreasing the biennial renewal fee.

*EMERGENCY STATEMENT:* The Committee for Professional Counselors is statutorily obligated to enforce and administer the provisions of sections 337.500–337.540, RSMo. Pursuant to section 337.507, RSMo, the committee shall by rule and regulation set the amount of fees authorized by sections 337.500 to 337.540, RSMo, to

produce revenue which shall not substantially exceed the cost and expense of administering the provisions of sections 337.500 to 337.540, RSMo. The committee is proposing to decrease the biennial renewal fee from one hundred fifty dollars (\$150) to fifty dollars (\$50) for the 2011 renewal period.

The licensed professional counselor (LPC) licenses expire on June 30, 2011. The renewal notices for LPCs will be mailed April 1, 2011, and any LPC wishing to reinstate or renew his/her license beginning April 2011 will be assessed the decreased renewal fee. Without this emergency amendment, the decreased fee requirement will not be effective in time for the renewal notice, and the committee will collect more revenue than it is statutory authorized to collect.

The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. In developing this emergency amendment, the committee has determined that the fee decrease is necessary for the 2011 renewal period to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 337.507.5, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue. The committee believes this emergency amendment to be fair to all interested parties under the circumstances. This emergency amendment was filed April 1, 2011, becomes effective April 11, 2011, and expires January 18, 2012.

(1) The following fees are established by the Committee for Professional Counselors and are payable in the form of a cashier's check, personal check, or money order:

|  |                                |
|--|--------------------------------|
| (D) Biennial Renewal                     | <del>/\$ 150.00</del> /\$50.00 |
| 1. Renewal received 1-60 days late       | \$ 50.00                       |
| 2. Renewal received 61 days-2 years late | \$100.00                       |

**AUTHORITY:** section[s] 337.507, RSMo Supp. [2004] **2010** and section 337.520.1(2), RSMo 2000. This rule originally filed as 4 CSR 95-1.020. Original rule filed Oct. 16, 1986, effective Jan. 30, 1987. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed April 1, 2011, effective April 11, 2011, expires Jan. 18, 2012.

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

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

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

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

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

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

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

## Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 4—Licenses

### PROPOSED AMENDMENT

**11 CSR 45-4.020 Licenses, Restrictions on Licenses, Licensing Authority of the Executive Director, and Other Definitions.** The commission is amending subsections (7)(B) and (C), and deleting subsection (7)(D).

*PURPOSE: This amendment removes the provider of junket services from the definition of a supplier licensee.*

- (7) Supplier license is a license issued to a person or entity that—
- (B) Provides gaming equipment maintenance or repair; **or**
  - (C) Provides testing services on gaming related equipment, components, peripherals, systems, or other items directed by the com-

mission to a Class A or Class B licensee or the commission.]; *or*  
(D) Provides junket services, as defined in this chapter, to Class A or Class B licensees.]

*AUTHORITY: sections 313.004 and 313.807, RSMo 2000. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 30, 2011.*

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

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

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

## Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 4—Licenses

### PROPOSED AMENDMENT

**11 CSR 45-4.200 Supplier's License.** The commission is amending section (1).

*PURPOSE: This amendment removes junket services from the requirements of a supplier license.*

(1) A supplier's license is required of persons who or entities which manufacture, sell, or lease gaming equipment, gaming supplies, or both; or provide gaming equipment maintenance or repair; or provide testing services on gaming related equipment, components, peripherals, systems; or provide services on the gaming floor that relate to gaming equipment of a Class A or Class B licensee, or other items directed by the commission]; *or provide junket services, as defined in this chapter, to Class A or Class B licensees];* unless exempted by the executive director. Additionally the executive director may waive or modify licensing fees and requirements. Such waiver, modification, or exemption shall not be applicable for testing laboratories.

*AUTHORITY: section 313.004, RSMo 2000 and sections 313.805 and 313.810, RSMo Supp. [2009] 2010. Emergency rule filed Sept. 1, 1993, effective Sept. 20, 1993, expired Jan. 17, 1994. Emergency rule filed Jan. 5, 1994, effective Jan. 18, 1994, expired Jan. 30, 1994. Original rule filed Sept. 1, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Amended: Filed March 30, 2011.*

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

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

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter [4—Licenses] 5—Conduct of Gaming**

**PROPOSED AMENDMENT**

**11 CSR 45-[4.500]5.400 Junket, Junket Enterprises, Junket Representatives—Definitions.** The commission is moving and renumbering this rule and amending section (1) and subsection (1)(I).

*PURPOSE:* This amendment renumbers this rule from Chapter 4 to Chapter 5, and removes the requirement for a junket representative to hold a commission-issued license.

(1) The following words and terms, when used in [this chapter] **11 CSR 45-5.400 through 11 CSR 45-5.420**, shall have the following meanings unless the context clearly indicates otherwise.

(I) "Junket representative" means any person who negotiates the terms of, engages in the referral, procurement, or selection of persons who may participate in a junket to a Class B licensee's premises. A Class A or Class B licensee's employee who holds a commission-issued occupational license or a Class A licensee's employee who receives no compensation either directly or indirectly from a junket enterprise or junket representative [whether or not said junket enterprise or junket representative holds a commission-issued license], and who performs the functions of a junket representative for the Class A or Class B licensee by which employed is not deemed a junket representative.

*AUTHORITY:* sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. [2009] 2010. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011.

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

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

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 4—Licenses**

**PROPOSED RESCISSION**

**11 CSR 45-4.510 Junket Enterprise; Junket Representative—Licensing Requirements.** This rule established general requirements applicable to junket enterprises.

*PURPOSE:* This rule is being rescinded since junket representatives will no longer be required to obtain a commission-issued license.

*AUTHORITY:* sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. 2009. Original rule filed Aug. 3, 2009, effective March 30, 2010. Rescinded: Filed March 30, 2011.

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

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

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 4—Licenses**

**PROPOSED RESCISSION**

**11 CSR 45-4.520 Junket Arrangements—Criteria by Which Patrons Selected Determinant of Junket.** This rule established criteria used to select patrons to determine whether or not an arrangement constituted a junket.

*PURPOSE:* This rule is being rescinded since junket representatives will no longer be required to obtain a commission-issued license.

*AUTHORITY:* sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. 2009. Original rule filed Aug. 3, 2009, effective March 30, 2010. Rescinded: Filed March 30, 2011.

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

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

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter [4—Licenses] 5—Conduct of Gaming**

**PROPOSED AMENDMENT**

**11 CSR 45-[4.530]5.410 Junket Enterprise; Junket Representative; Agents; Employees—Policies and Prohibited Activities.** The commission is moving and renumbering this rule and amending section (1) and deleting section (2).

*PURPOSE: This amendment renumbers this rule from Chapter 4 to Chapter 5 and updates policies applicable to junkets.*

(1) *[A junket enterprise, junket representative, or agent or employee thereof] A Class A or Class B licensee shall ensure the junket enterprise, junket representative, or agent or employee thereof, with which the Class A or Class B licensee has entered into a junket agreement, shall not—*

*[(2) A junket representative may not be employed by more than one (1) junket enterprise at a time. For the purposes of this chapter, to qualify as an employee of a junket enterprise, a junket representative shall—*

*(A) Receive all compensation for services as a junket representative within this state through the payroll account of the junket enterprise; and*

*(B) Exhibit other appropriate indicia of genuine employment, including federal and state tax withholdings.]*

*AUTHORITY: sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. [2009] 2010. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011.*

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

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

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter [4—Licenses] 5—Conduct of Gaming**

**PROPOSED AMENDMENT**

**11 CSR 45-[4.540]5.420 Junket—Agreements[, Schedules,] and Final Reports.** The commission is moving and renumbering this rule and amending the title, purpose, paragraph (1)(B)1., and section (3) and deleting section (2).

*PURPOSE: This amendment revises the requirements for junket agreements and reports to be filed and maintained by Class B licensees, remove schedules, and moves the rule to Chapter 5—Conduct of Gaming.*

*PURPOSE: This rule establishes requirements for junket agreements[, schedules,] and reports to be filed and maintained by Class B licensees.*

(1) Junket Agreements.

(B) Every agreement shall include the following conditions:

1. If, at any time, either prior to or subsequent to the initiation of the agreement, the commission disapproves the terms and conditions of the agreement, *[denies the license application of the junket enterprise or junket representative for any applicable license,] or [otherwise]* determines the junket enterprise or junket representative to be unsuitable for any reason, the agreement shall be deemed terminated as of the date of such disapproval, *[denial,]* or determination as though such date were the date originally fixed for termination of the agreement;

2. The junket enterprise or junket representative shall at all times maintain in good standing and effect all necessary and proper business licenses and other licenses and permits relating to its business operations; and

3. Junket enterprise or junket representative represents and warrants that its services will comply with all applicable laws.

*[(2) Junket schedules shall be—*

*(A) Prepared by a Class B licensee for each junket that is arranged through a junket enterprise or its junket representative;*

*(B) Filed with the commission by a Class B licensee by the fifteenth day of the month preceding the month in which the junket is scheduled to arrive at the Class B licensee's premises. If a junket is arranged after the fifteenth day of the month preceding the arrival of the junket, an amended schedule shall be filed by the Class B licensee by the close of the next business day after the junket is so arranged; and*

*(C) Prepared and signed by an employee of the Class B licensee and shall include the following:*

*1. The origin of the junket;*

*2. The estimated number of participants in the junket or the number of seats blocked;*

*3. The anticipated arrival time and date of the junket;*

*4. The anticipated departure time and date of the junket; and*

*5. The name and license number of all junket representatives and the name and license number of all junket enterprises involved in the junket.]*

*[(3)](2) Junket final reports shall—*

*(A) Be prepared by a Class B licensee for each junket engaged in or on its premises [for which the Class B licensee was required to prepare a junket schedule;] and shall include:*

*1. The origin of the junket, its arrival date and time, and departure date and time;*

*2. The name of all junket representatives and junket enterprises involved in the junket;*

*[(B) Include a] 3. A junket manifest listing the names and addresses of the junket participants;*

*[(C) Include information required under "Junket Schedules" that has not been previously provided to the commission in a junket schedule pertaining to a particular junket, or an amendment thereto;*

*(D) Include the] 4. The actual amount of complimentary services, accommodations, and items provided to each junket participant;*

*[(E) Include the] 5. The total amount for services or other items of value provided to or for the benefit of a patron participating in the junket which [were] was paid for by the junket enterprise, junket representative, or agent or employee thereof and disclosed in writing to the Class B licensee in compliance with 11 CSR 45-[4.530]5.410;*

*[(F)](B)* Be prepared and signed by an employee of the Class B licensee; and

*[(G)](C)* Be prepared within seven (7) days of the completion of the junket, maintained in compliance with 11 CSR 45-8.040, and made immediately available to the commission upon request.

*AUTHORITY: sections 313.004 and 313.807, RSMo 2000 and section 313.805, RSMo Supp. [2009] 2010. Original rule filed Aug. 3, 2009, effective March 30, 2010. Moved and amended: Filed March 30, 2011.*

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

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

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

## **Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 5—Conduct of Gaming**

### **PROPOSED RULE**

#### **11 CSR 45-5.192 Electronic Gaming Device Authentication**

*PURPOSE: This rule establishes the minimum standards for authenticating critical program storage media (CPSM). The objective of the technical standard is to require electronic gaming devices (EGD) manufacturers to support a port and protocol, referred to as game authentication terminal (GAT), for EGD verification. GAT would permit a commission agent to authenticate items defined as CPSM external to the EGDs locked logic area. In short, the central processing unit (CPU) board and CPSM will not be required to be removed in order to verify content.*

(1) Electronic gaming device (EGD) platforms submitted for approval after November 30, 2011, shall provide the following support for authenticating critical program storage media (CPSM):

(A) Employ a verification mechanism, approved by the commission, which authenticates all CPSM. The authentication mechanism shall—

1. Be accessible via a communication port and protocol approved by the commission;

2. Possess an approved communication port located within the locked EGD cabinet and be accessible without requiring access to the locked logic compartment;

3. Provide on-demand authentication of each EGD CPSM. This function shall not require the EGD power to be cycled and the execution time shall not exceed twenty (20) minutes;

4. Generate a unique signature for each CPSM utilizing Secure Hashing Algorithm-1 (SHA-1) with Hash-Based Message Authentication Code (HMAC), as defined by the National Institute of Standards and Technology (NIST). Hashing methodologies will be continually reevaluated by the commission; and

5. Provide support for escrowing verification results. Verification results shall be preserved and retrievable pending a sub-

sequent verification request or a loss of power; and

(B) Provide means for the use of third-party authentication tools approved by the commission.

(2) All EGD platforms submitted for approval prior to November 30, 2011, possessing a communication port, paragraph (1)(A)2. notwithstanding, shall comply with subsection (1)(A) of this rule by July 1, 2012, by upgrading the CPSM to meet compliance unless otherwise approved in writing by the commission. Legacy EGDs platforms which do not offer a communication port are excluded from this requirement.

(3) All EGDs shall be designed to permit a copy of random access memory (RAM) to be extracted utilizing tools and procedures approved by the commission and which shall be provided by the EGD supplier.

*AUTHORITY: section 313.805, RSMo Supp. 2010. Original rule filed March 30, 2011.*

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

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

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for June 15, 2011, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

## **Title 15—ELECTED OFFICIALS Division 40—State Auditor Chapter 3—Rules Applying to Political Subdivisions**

### **PROPOSED AMENDMENT**

**15 CSR 40-3.010 [Two Days Are Needed for] Bond Registration.** The state auditor is amending the title and sections (1) and (2).

*PURPOSE: This amendment changes the number of days prior to the issuance of a bond a political subdivision would have to submit the bond documents to the state auditor for registration.*

(1) **A complete signed and sealed copy of [A]all** bonds to be certified by the Missouri state auditor must be submitted with the transcript of proceedings authorizing the issuance of the bonds at least **[two (2)] five (5)** working days before the certification date. This **[allows for] will provide** the auditor **sufficient time** to review the legal compliance of the bond transaction.

(2) When the state auditor determines that good cause exists **[for a waiver of] to waive** the **[two (2)] five (5)** working-day-**[waiting period] requirement**, the bonds will be certified immediately after compliance with the laws has been found to exist.

*AUTHORITY: section[s] 29.100, RSMo [Supp. 1993] 2000 and section 108.240, RSMo [1986] Supp. 2010. Original rule filed June 27, 1974, effective July 7, 1974. Amended: Filed March 16, 2011.*

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Auditor's Office, PO Box 869, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 16—RETIREMENT SYSTEMS**  
**Division 20—Missouri Local Government**  
**Employees' Retirement System (LAGERS)**  
**Chapter 2—Administrative Rules**

**PROPOSED RULE**

**16 CSR 20-2.110 Military Benefits Payable**

*PURPOSE:* The purpose of this rule is to provide LAGERS' interpretation of the Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 USC 4301 et. seq.) and applicable LAGERS' statutes regarding LAGERS' benefits for a member serving in the United States Armed Forces.

(1) For purposes of determining the applicability of Missouri Local Government Employees Retirement System (LAGERS) benefits to members serving in the United States Armed Forces as set forth in the Uniformed Services Employment and Reemployment Rights Act (USERRA) (38 USC 4301 et. seq.), 38 USC 4318 requires the applicability of LAGERS' provided retirement benefits in such a manner that the member on qualified military service pursuant to USERRA and/or applicable Missouri statutes is treated as not having incurred a break in service by reason of such person's period or periods of service in the uniformed services. The LAGERS' Board of Trustees interprets Missouri statutes sections 70.600–70.655 et. seq. and section 105.270, RSMo, to provide benefits for death or disability incurred while on such qualified military service. If the death or disability occurred in the line of duty, then benefits will be provided as if the death or disability arose out of and in the course of duty as an employee.

*AUTHORITY:* section 70.605.21, RSMo 2000. Original rule filed March 31, 2011.

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

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

*NOTICE TO SUBMIT COMMENTS:* Any interested person or entity may submit written comments in support of or in opposition to the proposed rule. Comments should be directed to the Missouri Local Government Employees Retirement System (LAGERS), ATTN: Robert Franson, Chief Counsel, PO Box 1665, Jefferson City, MO 65102-1665. To be considered, comments must be received within thirty (30) days of publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,**  
**FINANCIAL INSTITUTIONS AND PROFESSIONAL**  
**REGISTRATION**  
**Division 2015—Acupuncturist Advisory Committee**  
**Chapter 1—General Rules**

**PROPOSED AMENDMENT**

**20 CSR 2015-1.030 Fees.** The advisory committee is proposing to amend sections (3) and (4).

*PURPOSE:* The advisory committee is statutorily obligated to enforce and administer the provisions of sections 324.475–324.499, RSMo. Pursuant to section 324.481, RSMo, the Missouri State Board of Chiropractic Examiners upon recommendation of the Acupuncturist Advisory Committee shall set fees necessary to administer the provisions of sections 324.475–324.499, RSMo. The advisory committee is proposing to decrease the acupuncturist application fee.

(3) The fees are established as follows:

(A) Acupuncturist Application Fee [ \$ 300.00 ] \$ 200.00

(4) [All fees are nonrefundable] Fees may be returned to an applicant or licensee, at the advisory committee's discretion, with the applicant or licensee submitting a written request to the advisory committee explaining the reason the fee should be returned.

*AUTHORITY:* sections 324.490 and 324.493, RSMo 2000 and sections 324.481 and 324.487, RSMo Supp. 2010. This rule originally filed as 4 CSR 15-1.030. Original rule filed July 24, 2001, effective Feb. 28, 2002. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed April 1, 2011, effective April 11, 2011, expires Jan. 18, 2012. Amended: Filed April 1, 2011.

*PUBLIC COST:* This proposed amendment will cost state agencies five hundred dollars (\$500) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

*PRIVATE COST:* This proposed amendment will save private entities approximately five hundred dollars (\$500) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Acupuncturist Advisory Committee, PO Box 1335, Jefferson City, MO 65102, by facsimile at 573-751-0735, or via email at [acupuncture@pr.mo.gov](mailto:acupuncture@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**PUBLIC FISCAL NOTE****I. RULE NUMBER****Title 20 -Department of Insurance, Financial Institutions and Professional Registration****Division 2015 - Acupuncturist Advisory Committee****Chapter 1 - General Rules****Proposed Amendment to 20 CSR 2015-1.030 Fees**

Prepared February 15, 2011 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT****Estimated Fiscal Impact**

| Affected Agency or Political Subdivision | Estimated Revenue  |                |
|--|--|----------------|
| Acupuncturist Advisory Committee         | (\$500)  |                |
|  | <b>Estimated Annual Revenue for the<br/>Life of the Rule</b> | <b>(\$500)</b> |

**III. WORKSHEET**

See Private Entity Fiscal Note

**IV. ASSUMPTION**

1. The total loss of revenue is based on the cost savings reflected in the Private Entity Fiscal Note filed with this amendment.
2. The committee utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five year analysis, the committee voted on a \$100 reduction in application fees.
3. It is anticipated that the total decrease in revenue will occur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE

**I. RULE NUMBER**

**Title 20 -Department of Insurance, Financial Institutions and Professional Registration**

**Division 2015 - Acupuncturist Advisory Committee**

**Chapter 1 - General Rules**

**Proposed Amendment to 20 CSR 2015-1.030 Fees**

Prepared February 16, 2011 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated cost of compliance with the amendment by affected entities: |
|--|---|---|
| 5  | Application Fee<br>(Application Fee Decrease @ \$100)                           | \$500   |
|  | <b>Estimated Annual Cost Savings<br/>for the Life of the Rule</b>               | <b>\$500</b>  |

**III. WORKSHEET**

See Table Above

**IV. ASSUMPTION**

1. The above figures are based on FY08-FY10 actuals.
2. It is anticipated that the total fiscal savings will occur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2095—Committee for Professional Counselors  
Chapter 1—General Rules**

**PROPOSED AMENDMENT**

**20 CSR 2095-1.020 Fees.** The board is proposing to amend subsections (1)(A) and (1)(B).

*PURPOSE: The Committee for Professional Counselors is statutorily obligated to enforce and administer the provisions of sections 337.500–337.540, RSMo. Fees are set so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the committee for administering the provisions of sections 337.500–337.540, RSMo. Therefore, the committee is decreasing the biennial renewal fee.*

(1) The following fees are established by the Committee for Professional Counselors and are payable in the form of a cashier's check, personal check, or money order:

- |   |                                 |
|---|---------------------------------|
| (A) Application Fee   | <del>/\$ 150.00</del> /\$100.00 |
| (B) Registration of Supervision (includes educational evaluation) | <del>/\$ 100.00</del> /\$ 75.00 |

*AUTHORITY: section[s] 337.507, RSMo Supp. [2004] 2010 and section 337.520.1(2), RSMo 2000. This rule originally filed as 4 CSR 95-1.020. Original rule filed Oct. 16, 1986, effective Jan. 30, 1987. For intervening history, please consult the Code of State Regulations. Emergency amendment filed April 1, 2011, effective April 11, 2011, expires Jan. 18, 2012. Amended: Filed April 1, 2011.*

*PUBLIC COST: This proposed amendment will cost state agencies nineteen thousand one hundred twenty-five dollars (\$19,125) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*PRIVATE COST: This proposed amendment will save private entities approximately nineteen thousand one hundred twenty-five dollars (\$19,125) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Committee for Professional Counselors, Loree Kessler, Executive Director, PO Box 1335, Jefferson City, MO 65102 or via email at profcounselors@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**PUBLIC FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2095 - Committee for Professional Counselors**  
**Chapter 1 - General Rules**  
**Proposed Amendment to 20 CSR 2095-1.020 Fees**  
Prepared February 15, 2011 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

**Estimated Fiscal Impact**

| <b>Affected Agency or Political Subdivision</b> | <b>Estimated Revenue</b>                                     |                 |
|---|--|-----------------|
| Committee for Professional Counselors           | <b>(19,125)</b>  |                 |
|   | <b>Estimated Annual Revenue for the<br/>Life of the Rule</b> | <b>(19,125)</b> |

**III. WORKSHEET**

See Private Entity Fiscal Note

**IV. ASSUMPTION**

1. The total loss of revenue is based on the cost savings reflected in the Private Entity Fiscal Note filed with this amendment.
2. The board utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five year analysis, the board voted on a \$50 reduction in application fees and a \$25 reduction in the registration of supervision fee.
3. It is anticipated that the total fiscal savings will occur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

## PRIVATE FISCAL NOTE

**I. RULE NUMBER****Title 20 -Department of Insurance, Financial Institutions and Professional Registration****Division 2095 - Committee for Professional Counselors****Chapter 1 - General Rules****Proposed Amendment to 20 CSR 2095-1.020 Fees**

Prepared February 15, 2011 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

| Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment: | Classification by type of the business entities which would likely be affected: | Estimated cost of compliance with the amendment by affected entities: |
|--|---|---|
| 225  | Application Fee<br>(Application Fee Decrease @ \$50)                            | \$11,250  |
| 315  | Registration of Supervision<br>(Registration Fee Decrease @ \$25)               | \$7,875   |
|  | <b>Estimated Annual Cost Savings<br/>for the Life of the Rule</b>               | <b>\$19,125</b>   |

**III. WORKSHEET**

See Table Above

**IV. ASSUMPTION**

1. The above figures are based on FY08-FY10 actuals.
2. It is anticipated that the total fiscal savings will occur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

**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 2—DEPARTMENT OF AGRICULTURE  
Division 80—State Milk Board  
Chapter 6—Requirements for the Missouri Dairy Law**

**ORDER OF RULEMAKING**

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board amends a rule as follows:

**2 CSR 80-6.041** Dairy Manufacturing Plant, Dairy Manufacturing Farm and Personnel Licensure is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 18, 2011 (36 MoReg 224-228). 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 COMMENT: No comments were received.

**Title 2—DEPARTMENT OF AGRICULTURE  
Division 110—Office of the Director  
Chapter 3—Missouri Renewable Fuel Standard**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Agriculture under section 414.255, RSMo Supp. 2010, the director amends a rule as follows:

**2 CSR 110-3.010** Description of General Organization; Definitions; Requirements and Exemptions; Enforcement Provisions is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2010 (35 MoReg 1848). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 4—Wildlife Code: General Provisions**

**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 as follows:

**3 CSR 10-4.135** Transportation is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2011 (36 MoReg 710). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **July 1, 2011**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 5—Wildlife Code: Permits**

**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 as follows:

**3 CSR 10-5.215** Permits and Privileges: How Obtained; Not Transferable is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2011 (36 MoReg 710). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **July 1, 2011**.

SUMMARY OF COMMENTS: No comments were received.

**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 as follows:

**3 CSR 10-7.450 Furbearers: Hunting Seasons, Methods is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2011 (36 MoReg 710-711). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **July 1, 2011**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 8—Wildlife Code: Trapping: Seasons, Methods**

**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 as follows:

**3 CSR 10-8.515 Furbearers: Trapping Seasons is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 15, 2011 (36 MoReg 711). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **July 1, 2011**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
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 rescinds a rule as follows:

**3 CSR 10-10.711 Resident Fur Handlers Permit is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2011 (36 MoReg 711-712). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **July 1, 2011**.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 10—Wildlife Code: Commercial Permits:  
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 rescinds a rule as follows:

**3 CSR 10-10.716 Resident Fur Handlers: Reports, Requirements is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on February 15, 2011 (36 MoReg 712). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective **July 1, 2011**.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040 and 386.250, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2010 (35 MoReg 1848-1849). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held January 20, 2011, and the public comment period ended January 14, 2011. The commission received one (1) written comment from its staff which it reiterated at the hearing.

COMMENT #1: Background and Support for the Amendment. The commission's staff observes that the current Caller ID policies originated from the commission's decision in Case No. TR-93-123, wherein the commission limited per-line blocking to law enforcement and domestic violence intervention agencies and their employees. At the time, the commission found insufficient evidence to require more blocking options be made available to other telecommunications customers and believed that expanding this service would dilute the value of Caller ID services. This policy was codified in Case No. TX-2004-0206. Since that time, customers have contacted the commission requesting per-line blocking, and staff believes the current policy is outdated because of the way other local voice service providers offer Caller ID service. Staff points out that many wireless and interconnected Voice over Internet Protocol (VoIP) providers not subject to the current rule automatically bundle Caller ID service and most make per-line blocking available for their customers. Those offerings weaken the commission's justification for the per-line blocking restriction. Allowing more entities to block caller information will allow companies to decide if they wish to provide such services for their customers.

RESPONSE: The commission agrees with its staff and staff's comment does not require any changes to the proposed amendment.

**Title 6—DEPARTMENT OF HIGHER EDUCATION  
Division 10—Commissioner of Higher Education  
Chapter 2—Student Financial Assistance Program**

**ORDER OF RULEMAKING**

By the authority vested in the Commissioner of Higher Education under section 173.250, RSMo Supp. 2010, the commissioner amends a rule as follows:

**6 CSR 10-2.080** Higher Education Academic Scholarship Program is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 18, 2011 (36 MoReg 229). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 6—DEPARTMENT OF HIGHER EDUCATION**  
**Division 10—Commissioner of Higher Education**  
**Chapter 2—Student Financial Assistance Program**

**ORDER OF RULEMAKING**

By the authority vested in the Commissioner of Higher Education under section 173.1103, RSMo Supp. 2010, the commissioner amends a rule as follows:

**6 CSR 10-2.150** Access Missouri Financial Assistance Program is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 18, 2011 (36 MoReg 230). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 5—Conduct of Gaming**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission amends a rule as follows:

**11 CSR 45-5.130** Exchange of Chips and Tokens is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1780). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on January 5, 2011. No one commented at the public hearing, and no written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 7—Security and Surveillance**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission amends a rule as follows:

**11 CSR 45-7.070** Surveillance Logs is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1780–1781). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on January 5, 2011. No one commented at the public hearing, and no written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 45—Missouri Gaming Commission**  
**Chapter 9—Internal Control System**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission adopts a rule as follows:

11 CSR 45-9.102 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1781). Changes have been made to the *Minimum Internal Control Standards* (MICS) as incorporated by reference in Chapter B, and those changes are explained in the comments below. Changes have been made to the text of the proposed rule, so it is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed rule on January 5, 2011. No one commented at the public hearing. Written comments were received from Mike Winter, Executive Director, Missouri Gaming Association (MGA) on behalf of the industry. Additionally, a comment was received from the Missouri Gaming Commission (MGC) staff.

COMMENT #1: MGA noted in Chapter B section 8.01, the wording is such that it appears to only allow proximity cards to be issued to access the sensitive areas listed; otherwise, they would have to be locked in a sensitive key box. Some properties use proximity cards for all employees to enter back of house areas, or depending on their license level, to enter the gaming floor.

RESPONSE AND EXPLANATION OF CHANGE: The casinos can use proximity cards to access areas that do not require sensitive key access. This rule was written to allow the use of proximity cards for some areas that require sensitive keys. The title of this section indicates that these rules only apply to proximity cards used to access sensitive areas as listed in Chapter B. Chapter B section 8.01 will be changed to clarify that proximity cards may be used in lieu of a sensitive key.

COMMENT #2: MGC staff noted that Chapter B section 8 has two (2) sections numbered as 8.02.

RESPONSE AND EXPLANATION OF CHANGE: Section 8 will be renumbered.

COMMENT #3: MGA stated in Chapter B section 8.03(E), not all proximity card software currently records changes or deletions.

Although some properties are moving in this direction, they would not be compliant at this point. There would also be programming costs incurred for each unique user setup in the proximity card system to fulfill the requirement of which employee had which entries. For some, security has a generic account as well as the surveillance technicians.

RESPONSE AND EXPLANATION OF CHANGE: After renumbering, section 8.03(E) has been changed to 8.04(E). No programming costs are necessary. The casinos can use a sensitive key to access these areas as the use of proximity cards is not required. These rules were written to give the casinos flexibility to use a proximity card or a key to access the five (5) areas listed that require a sensitive key.

#### **11 CSR 45-9.102 Minimum Internal Control Standards (MICS)—Chapter B**

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards (MICS) Chapter B—Key Controls*, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter B does not incorporate any subsequent amendments or additions as adopted by the commission on February 23, 2011.

### **Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 9—Internal Control System**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission adopts a rule as follows:

#### **11 CSR 45-9.105 Minimum Internal Control Standards (MICS)—Chapter E is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1781). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed rule on January 5, 2011. No one commented at the public hearing. A written comment was received from Mike Winter, Executive Director, Missouri Gaming Association (MGA), on behalf of the industry. Additionally, a comment was received from the Missouri Gaming Commission (MGC) staff.

COMMENT #1: MGA requested that since Chapter E is being opened for other changes they would again like to request that the commission re-evaluate jackpot payout limitations.

RESPONSE: Consideration will be given to this request with future revisions to this rule. No changes have been made to the rule as a result of this comment.

COMMENT #2: An MGC staff member noted that the requirement to complete and submit remote access dial-in logs has been removed from Chapter E section 1.08, and lessened the requirement in Chapter S section 12.04(A). The MGC staff wants the remote access logs to be submitted to the MGC monthly.

RESPONSE: MGC believes this comment has merit. No changes have been made to Chapter E. MGC will add requirements in

Chapter S section 12.04, requiring that the Remote Access Log shall be submitted to the MGC by the tenth day of each month.

### **Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 9—Internal Control System**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission adopts a rule as follows:

11 CSR 45-9.119 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1781-1786). Changes have been made to the *Minimum Internal Control Standards (MICS)* as incorporated by reference in Chapter S, and those changes are explained in the comments below. Changes have been made to the text of the proposed rule, so it is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed rule on January 5, 2011. No one commented at the public hearing. Written comments were received from Mike Winter, Executive Director, Missouri Gaming Association (MGA) on behalf of the industry, and Shaun Howe, Corporate Compliance Manager, Isle of Capri (IOC). Additionally, comments were received from the Missouri Gaming Commission (MGC) staff.

COMMENT #1: In Chapter S section 3.01 MGA believes there needs to be an exception for security to gain access without an escort in emergency situations at a minimum. MGA would reiterate our request to include "information technology (IT) staff or security" instead of restricting to management information systems (MIS) personnel.

RESPONSE: MGC states that emergencies shall be handled as such. MGC personnel and Missouri State Highway Patrol (MSHP) employees have the ability to grant temporary variances, in the event of an emergency. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #2: MGA still feels Chapter S section 3.02(A) is too restrictive. There are many devices and systems available that would accomplish the desired level of security for the server room. In order to give the licensees that flexibility, we propose the following language: "be locked at all times only allowing authorized licensees to enter utilizing a sensitive key, access control device or other security system as approved by MGC."

RESPONSE: MGC has set requirements for proximity cards and sensitive keys. We do not feel that other means of access provide the same level of security for access to critical IT systems. Therefore, no changes were made as a result of this comment.

COMMENT #3: IOC commented that Chapter S Section 3, Physical Access and Maintenance, regulates access to areas housing critical IT systems. IOC asks the commission to consider that physical access restrictions are currently in place and that sufficient recovery policies and electronic security methods exist today. IOC also asks the commission to consider that some components of these systems reside in rooms and closets currently shared with other equipment and systems (i.e., surveillance) that do not threaten the critical IT systems. Segregating existing cable runs or equipment within a closet, especially in legacy riverboat facilities, would be a cost to the industry without a comparable benefit. Further, no provision exists for access

by maintenance or emergency personnel during times when MIS staff may not be present.

**RESPONSE AND EXPLANATION OF CHANGE:** Chapter S section 3.01 has been revised to require a sensitive key/proximity card for the areas housing critical IT systems and equipment, and section 3.02(A) was removed. This will allow controlled access to the area, which could be a cabinet or a closet, without requiring the entire room to be controlled by a sensitive key/proximity card or have an MIS escort. The requirement for section 3.05 only requires communications closets (i.e., wiring closet) to be locked, not locked with a sensitive key.

**COMMENT #4:** IOC's comment on Section 6, Generic Accounts, addresses employee login accounts with shared credentials. IOC's generic accounts offer strictly limited access to application menus that require unique login credentials for each available menu selection and user function. IOC's use of generic accounts conforms to the standards set forth in rules 6.01 through 6.05. Please consider removing rule 6.06 to eliminate the unnecessary burden of requiring password changes to generic accounts that do not directly access critical IT system functions or data.

**COMMENT #5:** MGA noted that Chapter S section 6.06 is still a concern despite replacing "position" with "department." The requirement to change the password(s) as proposed should be limited to instances when the employee will have the ability to change data in the new position. An employee simply moving from an access-only position to another access-only position poses no threat as there is no ability to manipulate data. To be required to change generic passwords anytime someone transfers from one department to another will negatively impact the operation without providing any additional security. Generic passwords provide access to nothing more than a menu screen.

**RESPONSE AND EXPLANATION OF CHANGE:** Based on comments # 4 and #5, MGC has revised the rule to eliminate section 6.06.

**COMMENT #6:** An MGC staff member noted that the requirement to complete and submit remote access dial-in logs has been removed from Chapter E section 1.08, and lessened the requirement in Chapter S section 12.04(A). The MGC staff wants the remote access logs to be submitted to the MGC monthly.

**RESPONSE AND EXPLANATION OF CHANGE:** MGC believes this comment has merit. MGC added requirements in Chapter S section 12.04 requiring that the Remote Access Log shall be submitted to the MGC by the tenth day of each month.

**COMMENT #7:** IOC stated that Chapter S Section 16, Penetration Testing, requires licensees to employ the services of security professionals to assess critical IT systems and evaluate compliance with MICS, Chapter S. IOC requests the commission to consider that licensees already employ the services of both internal and external auditors and the results of these audits are made available to the commission. Please consider that this rule adds an additional layer of cost for a service that is essentially redundant to the licensees' current efforts.

**RESPONSE:** By employing the services of an independent professional, the Class B licensee can achieve an unbiased assessment of all critical IT systems and equipment in compliance with MICS, Chapter S. Therefore, no changes were made as a result of this comment.

**COMMENT #8:** In Chapter S section 17, MGA is still not completely clear on the regulatory purpose of monitoring player loyalty programs. The cost of compliance with this rule includes, among others, a hampering of our ability to effectively react to market conditions. When this is compared to the benefit of being able to investigate possible fraudulent marketing claims, it does not make practical sense for the licensee, commission or the patrons. Marketing

accounts and the associated player tracking systems do not affect revenue reporting.

**RESPONSE:** The intent of Chapter S section 17 is to require basic IT security standards to the player tracking system which contains patrons' personal identification information and confidential disassociated persons (DAP) identification information. We feel this basic level of security is essential to protect the casino patrons. Therefore, no changes were made as a result of this comment.

**COMMENT #9:** MGC staff noted that Chapter S section 17.12 does not have a time limit as to how long casinos can wait before transferring the backup media off-site. MGC staff suggested using the same language as noted in Chapter S section 8.02.

**RESPONSE AND EXPLANATION OF CHANGE:** Language has been added to give a specific time frame for transferring the backup media off-site.

### **11 CSR 45-9.119 Minimum Internal Control Standards (MICS)—Chapter S**

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter S—Management Information Systems, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter S does not incorporate any subsequent amendments or additions as adopted by the commission on February 23, 2011.

## **Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 9—Internal Control System**

### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission adopts a rule as follows:

11 CSR 45-9.121 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1787). Changes have been made to the *Minimum Internal Control Standards* (MICS) as incorporated by reference in Chapter U, and those changes are explained in the comments below. Changes have been made to the text of the proposed rule, so it is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** A public hearing was held on this proposed rule on January 5, 2011. No one commented at the public hearing. Written comments were received from Mike Winter, Executive Director, Missouri Gaming Association (MGA) on behalf of the industry, and Shaun Howe, Corporate Compliance Manager, Isle of Capri (IOC). Additionally, comments were received from the Missouri Gaming Commission (MGC) staff.

**COMMENT #1:** IOC commented that in Chapter U section 1.10, "patron account" needs to be changed to "system file" in this definition in order to limit the scope of promotional accounts to the "electronic bucket" that facilitates the bi-directional transfer of promotional giveaway credits.

**RESPONSE:** No change has been made in response to this comment. This section is designed to protect patrons' expectations involving patron accounts.

COMMENT #2: The actual electronic process for downloading credits, whether they originate from a marketing promotion or from a player-funded account is similar. The difference between a player-funded account (wagering account), which is established and maintained for an individual who entrusts the licensee with personal funds, and player rewards or promotional giveaways, which are the prerequisites associated with club membership and marketing efforts, are so significant as to require that the concepts not be comingled or in any way confused in the rules and controls.

This section as written appears to assign rights in property to marketing programs and other promotional offers not currently included in the regulations. Eligibility for player rewards and promotional giveaways does not constitute an "account" in that sense. Promotional giveaways and player rewards are not funds, any more than Citibank or American Express bonus points are funds subject to banking regulation. Marketing materials sent to our players with offers for free play or free buffets are not considered actual cash. Promotional giveaways and player awards, whether in the form of non-negotiable credits transmitted electronically, or given as hats, t-shirts, food, or free parking are sufficiently regulated elsewhere.

IOC stated that Chapter U Section 2, General, illustrates this concern. This section unnecessarily restricts and burdens players' club membership with controls more appropriate to wagering accounts. We request that the word promotional be removed.

RESPONSE AND EXPLANATION OF CHANGE: After considering this comment, MGC added language in Chapter U clarifying that if the Class B licensee certifies that the player reward credits or promotional giveaway credits cannot be downloaded to any component of the EGD, then these credits are not regulated by Chapter U.

COMMENT #3: IOC said they could see no reason for the restriction that requires that club membership be established by ticketing staff. Player-funded wagering accounts would more appropriately be established at locations currently managing financial transactions, such as the cage cashier, rather than the ticketing department, while establishing a club membership that might include eligibility for free play is more appropriately handled by club and other authorized personnel.

RESPONSE: MGC is requiring that wagering and promotional account activities should be segregated from the cash and chip transactions in the casino to comply with 11 CSR 45-9.020(1)(B)5. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #4: IOC respectfully requests Chapter U Section 4, Promotional Accounts, be reserved for controls surrounding the security and integrity of system files that communicate electronic promotional transactions to and from critical IT systems or EGDs. RESPONSE: There is no specific reference to any section of Chapter U Section 4, Promotional Accounts. This section is designed to protect patrons' expectations involving promotional accounts. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #5: As noted previously by IOC, this section assigns rights in property to marketing programs and other promotional offers not currently included in the regulations. Eligibility for player rewards and promotional giveaways does not constitute an account in that sense. Awards and promotions are not funds. Funds are deposited into wagering accounts. Many of the requirements of this section more aptly apply to wagering accounts (player-funded).

RESPONSE: When awards or promotions are given or awarded, patrons expect to receive something of value which may be converted into gambling funds or other items. Downloadable promotional giveaway credits and player reward credits are taxed as drop in Missouri and do have a monetary value. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #6: In Chapter U section 2.09, MGA would request

clarification on what the commission would consider an "integrity check" and what a property would need to do to meet this standard. RESPONSE: An integrity check is a process that verifies files deemed critical by an independent testing laboratory at least once every twenty-four (24) hours. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #7: In Chapter U section 2.10, the industry hopes to be able to generate player's cards at additional areas. Please note if this ability is granted, it would conflict with section 2.10 as the account set-up is one process/system (obtaining a player's card and account would automatically establish a promotional account). Additionally, the second sentence about activating accounts is not relevant for how the casino management system works. Therefore, it would be impossible to adhere to the rule. We would suggest removing the first two (2) sentences and leaving the current verbiage that exists in other MICS for the establishment of player accounts.

RESPONSE AND EXPLANATION OF CHANGE: MGC has added language in Chapter U section 2.01 clarifying that this rule only applies to wagering and promotional accounts that have downloadable credits. This does not affect other promotional accounts.

COMMENT #8: MGA commented that in Chapter U section 2.10(C), we would again like to raise the concern we noted in our last set of comments on Chapter U regarding the use of a "shadow box." Would a personal identification number (PIN) entry system be an approved commission method? "Shadow box" is also contained in section 2.11(B).

RESPONSE: A shadow box is a physical box that is used to cover the key pad to prevent others from viewing the PIN when entered. This is used in conjunction with a PIN entry system. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #9: MGA commented that in Chapter U section 2.11(A), we would suggest deleting "The ticketing supervisor" and inserting in its place "An employee in an approved MGC position" or at a minimum allowing supervisory personnel in Tables, Cage, and Slots to perform this function. This would allow for some flexibility by not limiting these actions to only be performed by the ticketing supervisor.

RESPONSE: MGC has added language in MICS, Chapter U section 2.01 clarifying that this rule only applies to wagering and promotional accounts that have downloadable credits. The reset of patrons' PINs is being limited to ticketing supervisors to prevent unfettered access to patrons' accounts.

COMMENT #10: MGA commented that in Chapter U section 2.18, we would suggest adding "or drop periods" after the words "three consecutive days."

RESPONSE: This requirement is independent of the drop, so there is no reason to use "or drop periods." No change is made in response to this comment.

COMMENT #11: In Chapter U section 4.02, MGA is still concerned the commission is prohibiting the use of multi-jurisdictional promotional giveaways. As the industry moves to the use of a universal card, there needs to be the ability to allow patrons who earn downloadable credits in other jurisdictions to use them here and vice versa.

RESPONSE: The commission does allow multi-jurisdictional promotional giveaways that are in compliance with 11 CSR 45-5.181. The multi-jurisdictional "downloadable" player reward credits are prohibited, unless approved in writing by MGC. At this time we have not been approached by licensees to approve multi-jurisdictional player reward credits. Without seeing the product we are not in a position to evaluate which rules would need to be in place to allow for this. We included "unless approved in writing by the MGC" to allow for this in the future when we have more information available.

Therefore, no changes were made to the rule as a result of this comment.

COMMENT #12: Since Chapter U section 4.03(A) governs the promotional credit downloading process, MGA would suggest deleting the first sentence.

RESPONSE: The definition of promotional system states that it only encompasses systems that electronically transfer credits to an EGD. This is further clarified in Chapter U section 2.01. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #13: In Chapter U section 4.04, promotional credits do not have a monetary value and therefore cannot be measured against monetary guidelines. Therefore, MGA suggests deleting the word "monetary."

RESPONSE: Accounting will be reviewing reports, which include unit of measurement in dollars; hence the use of the word "monetary" is appropriate. Alternatively, the threshold can be established based on a certain number of credits if that is the unit of measurement used on the reports that accounting reviews. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #14: A staff member commented that the first sentence of Chapter U section 4.04 needs to be revised to clarify the rule. As it is currently written the standard was not clear.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees and has changed the section for clarification.

COMMENT #15: A staff member noted in Chapter U section 4.04 that the addition of promotional giveaway credits or player reward credits should be limited to supervisors, not including front-line dual-rate employees, because of the thefts of promotional dollars which have already occurred. This access needs to be controlled. The restriction against dual-rate employees is included because in order to prevent them from having this access when they are acting as front-line employees their access would also not be allowed when acting in a supervisory role.

RESPONSE AND EXPLANATION OF CHANGE: The commission is going to allow the casinos to establish in the internal controls which job positions can make adjustments to patron accounts. A sentence was added to Chapter U section 4.04 which requires only the authorized positions to have system access to add promotional giveaway credits to an individual patron's account at anytime other than when a previously approved promotion is being initially loaded in the system.

COMMENT #16: MGC staff also stated that the system parameters should be set up to prevent access by unauthorized individuals.

RESPONSE AND EXPLANATION OF CHANGE: Chapter U section 4.04 has been changed to limit system access to perform the addition of credits to authorized job positions, as listed in the internal controls.

COMMENT #17: MGC staff commented that player reward credits need to be removed from the first sentence, as they are not loaded into the system in the same way as promotional giveaways. Player reward credit adjustments need to be included in the rest of the rule to ensure they are documented and audited.

RESPONSE AND EXPLANATION OF CHANGE: The promotional giveaway credits and the player rewards credits were divided into two (2) separate sections.

COMMENT #18: In any marketing promotion, and in accordance with 11 CSR 45-5.181, IOC wants to maintain the right to cancel or amend at any time. This section, as it is written, would eliminate this right. Finally, we are deeply concerned that Chapter U section 4 would reach into business and marketing decisions, well outside the

interests of Missouri, in every jurisdiction in which we operate. We do not believe this to be the intent of the commission.

RESPONSE: 11 CSR 45-5.181 provides that any change or cancellation of a promotion must be approved by the commission prior to the change or cancellation. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #19: In 4.05, because promotions on occasion offer patrons a choice of multiple offers, we would need the ability to delete or remove promotional credits and player reward credits which have been added to a patrons account before they expire. MGA would request that this ability be provided to player's club leads and above, as well as the entire list of authorized individuals allowed to "adjust" or "add" the promotions. For example, a property loads a promotion onto an account in advance, but the patron can choose to use that promotion or receive a food outlet voucher. If they choose the food outlet voucher, the property would need to delete the promotion to ensure they are not double dipping.

RESPONSE AND EXPLANATION OF CHANGE: Chapter U section 4.05, which is now 4.06, was modified to clarify that redemption of the promotion allows adjustment of the patron's account. If a promotion is offered where a patron can choose from multiple offers, once the choice is made, the promotion is considered expired or redeemed, which permits the removal of the promotional offer from the patron's account. The rules of the promotion shall address how the promotion is redeemed to indicate that once a patron has chosen an offer the entire promotion is considered redeemed. The ability to add or adjust promotions is defined in Chapter U sections 4.04 and 4.05.

COMMENT #20: Although MGA appreciates some of the changes made in Chapter U section 5.02, we continue to have a number of questions about how this provision will be implemented and how we will be able to interact with our guests in the best possible manner.

RESPONSE AND EXPLANATION OF CHANGE: Language has been added to clarify that the account shall remain disabled until the dispute is resolved. Class B licensees are only required to notify MGC of any disputes that cannot be resolved within twenty-four (24) hours.

COMMENT #21: In Chapter U section 5.12, some properties may wish to have the flexibility to establish their own procedures and policies, consistent with the statute, to handle these situations. The internal controls may want to provide this flexibility.

RESPONSE: Licensees may state procedures in their internal controls within the boundaries of the statute. Therefore, no changes were made to the rule as a result of this comment.

COMMENT #22: In Chapter U section 6.04, MGA would request the notification requirement to the commission's EGD department be changed from "immediately" to "within twenty-four (24) hours." This would be consistent with the notification provisions in Chapter U section 5.13.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees and changes the rule to within twenty-four (24) hours.

### 11 CSR 45-9.121 Minimum Internal Control Standards (MICS)—Chapter U

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter U—Cashless, Promotional, and Bonusing Systems, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter U does not incorporate any subsequent amendments or additions as adopted by the commission February 23, 2011.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 9—Internal Control System**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2010, the commission adopts a rule as follows:

**11 CSR 45-9.122** Minimum Internal Control Standards (MICS)—  
Chapter V is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1787). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed rule on January 5, 2011. No one commented at the public hearing, and no written comments were received.

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

**ORDER OF RULEMAKING**

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2010, the division rescinds a rule as follows:

**13 CSR 70-3.110** Second Opinion Requirement Before  
Nonemergency Elective Surgical Operations is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 3, 2011 (36 MoReg 128). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 97—Health Insurance Premium Payment (HIPP)  
Program**

**ORDER OF RULEMAKING**

By the authority vested in the MO HealthNet Division under sections 208.153 and 208.201, RSMo Supp. 2010, the division amends a rule as follows:

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

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 3, 2011 (36 MoReg 128). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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

**ORDER OF RULEMAKING**

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

**16 CSR 50-2.030** Eligibility and Participation is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1791). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS  
Division 50—The County Employees' Retirement Fund  
Chapter 3—Creditable Service**

**ORDER OF RULEMAKING**

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

**16 CSR 50-3.010** Creditable Service is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1791). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2150—State Board of Registration for the  
Healing Arts  
Chapter 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.736, 334.738, and 334.743, RSMo 2000 and sections 334.735 and 334.747, RSMo Supp. 2010, the board adopts a rule as follows:

**20 CSR 2150-7.010** Definitions is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1791). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

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

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.

RESPONSE: The board appreciates the support. No changes were made to the proposed 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.738, 334.742, and 334.743, RSMo 2000 and section 334.735, RSMo Supp. 2010, the board amends a rule as follows:

**20 CSR 2150-7.100 Applicants for Licensure is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1791–1792). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.

RESPONSE: The board appreciates the support. No changes were made to the proposed amendment 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.738, and 334.743, RSMo 2000 and section 334.735, RSMo Supp. 2010, the board amends a rule as follows:

**20 CSR 2150-7.125 Late Registration and Reinstatement  
Applicants is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1792–1793). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.

RESPONSE: The board appreciates the support. No changes were made to the proposed amendment 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.736, 334.738, and 334.743, RSMo 2000 and sections 334.735 and 334.747, RSMo Supp. 2010, the board adopts a rule as follows:

**20 CSR 2150-7.130 Applicants for Certificate of Controlled  
Substance Prescriptive Authority is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1793–1795). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

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

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.

RESPONSE: The board appreciates the support. No changes were made to the proposed 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.735, RSMo Supp. 2010, the board amends a rule as follows:

**20 CSR 2150-7.135 Physician Assistant Supervision Agreements  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1796–1797). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.

RESPONSE: The board appreciates the support. No changes were made to the proposed amendment 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000 and section 334.735, RSMo Supp. 2010, the board amends a rule as follows:

**20 CSR 2150-7.136 Request for Waiver is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1798). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.  
RESPONSE: The board appreciates the support. No changes were made to the proposed amendment 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000 and section 334.735, RSMo Supp. 2010, the board amends a rule as follows:

**20 CSR 2150-7.137 Waiver Renewal is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1798). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.  
RESPONSE: The board appreciates the support. No changes were made to the proposed amendment 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 7—Licensing of Physician Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under sections 334.125, 334.736, 334.738, and 334.743, RSMo 2000 and section 334.735, RSMo Supp. 2010, the board amends a rule as follows:

**20 CSR 2150-7.200 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2010 (35 MoReg 1798–1801). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment.

COMMENT: Paul Winter with the Missouri Academy of Physician Assistants wrote a letter in support of the rulemakings.  
RESPONSE: The board appreciates the support. No changes were made to the proposed amendment as a result of this comment.

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 June 1, 2011.

**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. 2010, 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 #MP100721063**

Applicant's Name & Age: Joseph M. Flake Jr., 33

Relevant Physical Condition: Mr. Flake's best corrected visual acuity in his right eye is 20/20 Snellen and his left eye is 20/200 Snellen. He has been diagnosed with having amblyopia (lazy eye) in his right eye and this has been present since birth.

Relevant Driving Experience: Mr. Flake has obtained employment with a tree service in Central Missouri and will be operating a commercial motor vehicle. Mr. Flake currently has no previous commercial vehicle driving experience. He currently has a Class B CDL. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in September 2010, his optometrist certified, "In my medical opinion, Mr. Flake's visual deficiency is stable and he is capable of performing the driving tasks required to operate a commercial motor vehicle, and his condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: No accidents or violations on record for the previous 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 March 30, 2011

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

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 10—Adjutant General**  
**Chapter 11—State Emergency Management Agency**

**IN ADDITION**

The following public notice regarding the severe winter and snow storms occurring from January 31, 2011, to February 5, 2011, is issued by the Department of Homeland Security, Federal Emergency Management Agency Joint Field Office located in Columbia, Missouri. This public notice is published per federal regulation requirements found in Section 2 (a)(4) of Executive Order 11988 and Section 2 (b) of Executive Order 11990.

Joint Information Center  
Joint Field Office  
Columbia, MO



FEMA

April 1, 2011  
DR-1961-MO PN-01  
FEMA News Desk: (573) 814-4849

## **PUBLIC NOTICE FEMA-DR-1961-MO**

The Department of Homeland Security, Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse state and local governments and agencies, and eligible private non-profit organizations for eligible costs incurred to repair and/or replace facilities damaged by severe winter and snow storms occurring from January 31 to February 5, 2011. This notice applies to the Public Assistance (PA) and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC §§ 5121-5207 as amended.

Under a major disaster declaration (FEMA-1961-DR-MO) signed by the President on March 23, 2011 the following counties in the State of Missouri have been designated as adversely affected by the disaster and are eligible for PA: Adair, Andrew, Audrain, Barton, Bates, Benton, Boone, Caldwell, Callaway, Carroll, Cass, Cedar, Chariton, Clark, Clinton, Cole, Cooper, Dade, Dallas, DeKalb, Grundy, Henry, Hickory, Howard, Johnson, Knox, Laclede, Lafayette, Lewis, Linn, Livingston, Macon, Madison, Maries, Marion, McDonald, Miller, Moniteau, Monroe, Montgomery, Morgan, Newton, Osage, Pettis, Platte, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Saint Clair, Saline, Schuyler, Scotland, Shelby, Sullivan, Vernon, and Worth. Additional counties may be designated at a later date. All counties in the State of Missouri are eligible for HMGP.

This public notice concerns public assistance activities that may affect historic properties, activities that are located in or affect wetland areas or the 100-year floodplain (areas determined to have a one percent probability of flooding in any given year), and critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

Such activities may include restoring facilities located in a floodplain with eligible damage to pre-disaster condition. Examples of such activities include, but are not limited to, the following:

1. Non-emergency debris removal and disposal;
2. Non-emergency protective measures;
3. Repair/replacement of roads, including streets, culverts, and bridges;
4. Repair/replacement of public dams, reservoirs and channels;
5. Repair/replacement of public buildings and related equipment;
6. Repair/replacement of public water control facilities, pipes and distribution systems;

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7. Repair/replacement of public utilities, including sewage treatment plants, sewers and electrical power distribution systems; and
8. Repair/replacement of eligible private, non-profit facilities (hospitals, educational centers, emergency and custodial care services, etc.).

The President's Executive Order 11988, Floodplain Management, and Executive Order 11990, Protection of Wetlands, requires that all Federal actions in or affecting the 100-year floodplain or wetland areas be reviewed for opportunities to move the facility out of the floodplain or wetland and to reduce the risk of future damage or loss from flooding and minimize harms to wetlands. However, FEMA has determined that in certain situations, there are no alternatives to restoring an eligible facility located in the floodplain to its pre-disaster condition. These situations meet all of the following criteria:

1. The FEMA estimated cost of repairs is less than 50 percent of the estimated cost to replace the facility and the replacement cost of the facility is less than \$100,000.
2. The facility is not located in a floodway or coastal high hazard area.
3. The facility has not sustained structural damage in a previous presidentially declared flood disaster or emergency.
4. The facility is not defined as critical (e.g., hospital, generating plant, contains dangerous materials, emergency operation center, etc.).

FEMA will provide assistance to restore the facilities described above to their predisaster condition except when measures to mitigate the effects of future flooding may be incorporated into the restoration work. For example, insufficient waterway openings under culverts and bridges may cause water back up to wash out the structures. The water back up could wash out the facility and could damage other facilities in the area. Increasing the size of the waterway opening would mitigate, or lessen, the potential for this damage. Additional examples of mitigation measures include providing erosion protection at bridge abutments or levees, and extending entrance tubes on sewage lift stations.

Disaster assistance projects to restore facilities, which do not meet the criteria listed above, must undergo a detailed review. The review will include a study to determine if the facility can be moved out of the floodplain. The public is invited to participate in the review. The public may identify alternatives for restoring the facility and may participate in analyzing the impact of the alternatives on the facility and the floodplain. An address and phone number for obtaining information about specific assistance projects is provided at the end of this Notice. The final determination regarding the restoration of these facilities in a floodplain will be announced in future Public Notices.

Due to the urgent need for and/or use of the certain facilities in a floodplain, actions to restore the facility may have started before the Federal inspector visits the site. Some of these facilities may meet the criteria for a detailed review to determine if they should be relocated. Generally, facilities may be restored in their original location where at least one of the following conditions applies:

1. The facility, such as a flood control device or bridge, is functionally dependent on its floodplain location.
2. The facilities, such as a park or other open-use space, already represent sound floodplain management and, therefore, there is no need to change it.

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3. The facility, such as a road or a utility, is an integral part of a larger network that could not be relocated economically.
4. Emergency action is needed to address a threat to public health and safety.

The effects of not relocating the facilities will be examined. In each case, the examination must show an overriding public need for the facility at its original location that clearly outweighed the requirements in the Executive Order to relocate the facility out of the floodplain. FEMA will also consult State and local officials to make certain that no actions taken will violate either State or local floodplain protection standards. The restoration of these facilities may also incorporate certain measures designed to mitigate the effects of future flooding. This will be the only Notice to the public concerning these facilities.

The National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. Those actions or activities affecting buildings, structures, districts or objects 50 years or older or that affect archeological sites or undisturbed ground will require further review to determine if the property is eligible for listing in the National Register of Historic Places (Register). If the property is determined to be eligible for the Register, and FEMA's undertaking will adversely affect it, FEMA will provide additional public notices. For historic properties not adversely affected by FEMA's undertaking, this will be the only public notice.

FEMA also intends to provide Hazard Mitigation Grant Program (HMPG) funding under Section 404 of the Stafford Act to the State of Missouri for the purposes of mitigating future disaster damages. Hazard mitigation projects may involve the construction of a new facility (e.g., retention pond, or debris dam), modification of an existing undamaged facility (e.g., improving waterway openings of bridges or culverts), and the relocation of facilities out of the floodplain. Subsequent Notices will provide more specific information as project proposals are developed.

Information about assistance projects may be obtained by submitting a written request to the Regional Administrator, DHS-FEMA Region VII; 9221 Ward Parkway, Suite 300; Kansas City, MO 64114-3372. The information may also be obtained by calling: (816) 283-7060, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Comments should be sent in writing to the Regional Administrator, at the above address, within 15 days of the date of publication of this notice.

###

**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 May 23, 2011. These applications are available for public inspection at the address shown below:

**Date Filed**

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

**03/16/11**

**#4641 HT:** Heartland Regional Medical Center  
St. Joseph (Buchanan County)  
\$1,920,883, Replace special procedures equipment

**04/01/11**

**#4648 RT:** Lakewood Assisted Living by Americare  
Springfield (Greene County)  
\$0, Replace 6 ALF beds

**04/08/11**

**#4560 NP:** Saxton Riverside Care Center  
St. Joseph (Buchanan County)  
\$3,000, Long-term care expansion through the purchase of 9  
SNF beds

**#4653 HT:** Ozarks Medical Center  
West Plains (Howell County)  
\$2,849,000, Replace linear accelerator

**04/11/11**

**#4651 NT:** St. Louis Altenheim  
St. Louis (St. Louis City)  
\$6,206,170, Renovate/modernize 46-bed intermediate care  
facility (ICF)

**#4645 RT:** Golden Age Living Center  
Stover (Morgan County)  
\$1,144,892, Renovate/modernize 60-bed SNF

**#4652 HT:** Lake Regional Health System  
Osage Beach (Camden)  
\$1,973,796, Replace magnetic resonance imaging unit

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 May 12, 2011. 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

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

**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 CORPORATE  
DISSOLUTION TO ALL CREDITORS  
OF AND CLAIMANTS AGAINST  
THE WILLOUGHBY GROUP, INC.**

Articles of Dissolution for The Willoughby Group, Inc. have been filed with the Missouri Secretary of State. All claims against The Willoughby Group, Inc. must be submitted in writing to John Willoughby, 408 N.W. 44<sup>th</sup> Street, Gladstone, Missouri 64116. Claims must include the name, address and phone number of the claimant, amount claimed, date claim arose and the basis for such claim. All claims will be barred unless a proceeding to enforce the claim is commenced within two years of publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
BOASBERG WHEELER COMMUNICATIONS, INC.**

Notice is given that Boasberg Wheeler Communications, Inc., with its registered office at 1010 Walnut, Suite 500, Kansas City, Missouri, 64106, has been dissolved as of December 10, 2010 in accordance with the Missouri general corporate code. Boasberg Wheeler Communications, Inc. requests that persons with claims against the corporation present the claims in accordance with the Missouri general corporate code. The claim must include the name of the claimant, the claimant's mailing address, and information describing the claim with specificity. The claim must be sent to Stan Johnston, Lewis, Rice & Fingersh, L.C., 1010 Walnut, Suite 500, Kansas City, Missouri, 64106. A claim against Boasberg Wheeler Communications, Inc., not otherwise barred, will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

**Notice of Corporate Dissolution To All Creditors of and Claimants Against Fur Arts, Inc.**

On March 17, 2011, Fur Arts, Inc. filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective upon filing. You are hereby notified that if you believe you have a claim against Fur Arts, Inc., you must submit a summary in writing of the circumstances surrounding your claim to Van Osdol & Magruder, Attn: Melinda Ward, 911 Main, Suite 2400, Kansas City, MO 64105. The summary must include the following information: (1) the name, address and telephone number of the claimant; (2) the amount of the claim; (3) the date on which the event on which the claim is based occurred; and (4) a brief description of the nature of the debt or the basis for the claim. All claims against Fur Arts, Inc. will be barred unless the proceeding to enforce the claim is commenced within two years after the publication of this notice.

## Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, 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<br>35 MoReg 1815 |
| 1 CSR 10-15.010                           | Commissioner of Administration                | 36 MoReg 273 | 36 MoReg 448  |             |                                |
| <b>DEPARTMENT OF AGRICULTURE</b>          |   |              |               |             |                                |
| 2 CSR 30-1.010                            | Animal Health                                 |              | 35 MoReg 1845 |             |                                |
| 2 CSR 30-2.010                            | Animal Health                                 |              | 35 MoReg 1845 |             |                                |
| 2 CSR 30-2.020                            | Animal Health                                 |              | 35 MoReg 1846 |             |                                |
| 2 CSR 30-6.020                            | Animal Health                                 |              | 36 MoReg 524  |             |                                |
| 2 CSR 30-9.020                            | Animal Health                                 | 36 MoReg 217 | 36 MoReg 221  |             |                                |
| 2 CSR 80-5.010                            | State Milk Board                              |              | 36 MoReg 980  |             |                                |
| 2 CSR 80-6.041                            | State Milk Board                              |              | 36 MoReg 224  | This Issue  |                                |
| 2 CSR 90                                  | Weights and Measures                          |              |               |             | 35 MoReg 1284                  |
| 2 CSR 90-10.001                           | Weights and Measures                          |              | 36 MoReg 885  |             |                                |
| 2 CSR 90-10.011                           | Weights and Measures                          |              | 36 MoReg 885  |             |                                |
| 2 CSR 90-10.012                           | Weights and Measures                          |              | 36 MoReg 886  |             |                                |
| 2 CSR 90-10.013                           | Weights and Measures                          |              | 36 MoReg 887  |             |                                |
| 2 CSR 90-10.014                           | Weights and Measures                          |              | 36 MoReg 889  |             |                                |
| 2 CSR 90-10.015                           | Weights and Measures                          |              | 36 MoReg 890  |             |                                |
| 2 CSR 90-10.020                           | Weights and Measures                          |              | 36 MoReg 890  |             |                                |
| 2 CSR 90-10.040                           | Weights and Measures                          |              | 36 MoReg 891  |             |                                |
| 2 CSR 90-10.060                           | Weights and Measures                          |              | 36 MoReg 892R |             |                                |
| 2 CSR 90-10.070                           | Weights and Measures                          |              | 36 MoReg 892R |             |                                |
| 2 CSR 90-10.090                           | Weights and Measures                          |              | 36 MoReg 892  |             |                                |
| 2 CSR 90-10.120                           | Weights and Measures                          |              | 36 MoReg 892  |             |                                |
| 2 CSR 90-10.130                           | Weights and Measures                          |              | 36 MoReg 893  |             |                                |
| 2 CSR 90-10.140                           | Weights and Measures                          |              | 36 MoReg 893  |             |                                |
| 2 CSR 90-10.145                           | Weights and Measures                          |              | 36 MoReg 894  |             |                                |
| 2 CSR 90-10.150                           | Weights and Measures                          |              | 36 MoReg 894  |             |                                |
| 2 CSR 90-10.155                           | Weights and Measures                          |              | 36 MoReg 896  |             |                                |
| 2 CSR 90-10.160                           | Weights and Measures                          |              | 36 MoReg 896  |             |                                |
| 2 CSR 90-10.165                           | Weights and Measures                          |              | 36 MoReg 896  |             |                                |
| 2 CSR 90-10.170                           | Weights and Measures                          |              | 36 MoReg 897  |             |                                |
| 2 CSR 90-10.175                           | Weights and Measures                          |              | 36 MoReg 897  |             |                                |
| 2 CSR 90-10.180                           | Weights and Measures                          |              | 36 MoReg 898  |             |                                |
| 2 CSR 90-10.185                           | Weights and Measures                          |              | 36 MoReg 898  |             |                                |
| 2 CSR 90-30.080                           | Weights and Measures                          |              | 36 MoReg 707  |             |                                |
| 2 CSR 90-30.086                           | Weights and Measures                          |              | 36 MoReg 709  |             |                                |
| 2 CSR 110-3.010                           | Office of the Director                        |              | 35 MoReg 1848 | This Issue  |                                |
| <b>DEPARTMENT OF CONSERVATION</b>         |   |              |               |             |                                |
| 3 CSR 10-4.135                            | Conservation Commission                       |              | 36 MoReg 710  | This Issue  |                                |
| 3 CSR 10-5.205                            | Conservation Commission                       |              | 36 MoReg 1033 |             |                                |
| 3 CSR 10-5.215                            | Conservation Commission                       |              | 36 MoReg 710  | This Issue  |                                |
| 3 CSR 10-7.450                            | Conservation Commission                       |              | 36 MoReg 710  | This Issue  |                                |
| 3 CSR 10-7.455                            | Conservation Commission                       |              |               |             | 36 MoReg 676                   |
| 3 CSR 10-8.515                            | Conservation Commission                       |              | 36 MoReg 711  | This Issue  |                                |
| 3 CSR 10-9.110                            | Conservation Commission                       |              | 36 MoReg 1034 |             |                                |
| 3 CSR 10-10.711                           | Conservation Commission                       |              | 36 MoReg 711R | This IssueR |                                |
| 3 CSR 10-10.716                           | Conservation Commission                       |              | 36 MoReg 712R | This IssueR |                                |
| 3 CSR 10-11.120                           | Conservation Commission                       |              | 36 MoReg 1035 |             |                                |
| 3 CSR 10-11.205                           | Conservation Commission                       |              | 36 MoReg 1035 |             |                                |
| 3 CSR 10-11.210                           | Conservation Commission                       |              | 36 MoReg 1036 |             |                                |
| 3 CSR 10-12.110                           | Conservation Commission                       |              | 36 MoReg 1036 |             |                                |
| 3 CSR 10-12.115                           | Conservation Commission                       |              | 36 MoReg 1036 |             |                                |
| 3 CSR 10-12.125                           | Conservation Commission                       |              | 36 MoReg 1037 |             |                                |
| 3 CSR 10-12.135                           | Conservation Commission                       |              | 36 MoReg 1037 |             |                                |
| 3 CSR 10-12.140                           | Conservation Commission                       |              | 36 MoReg 1038 |             |                                |
| 3 CSR 10-12.145                           | Conservation Commission                       |              | 36 MoReg 1038 |             |                                |
| 3 CSR 10-20.805                           | Conservation Commission                       |              | 36 MoReg 1039 |             |                                |
| <b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b> |   |              |               |             |                                |
| 4 CSR 240-2.010                           | Public Service Commission                     |              | 36 MoReg 1039 |             |                                |
| 4 CSR 240-2.025                           | Public Service Commission                     |              | 36 MoReg 1041 |             |                                |
| 4 CSR 240-2.030                           | Public Service Commission                     |              | 36 MoReg 1041 |             |                                |

| Rule Number   | Agency  | Emergency    | Proposed                     | Order         | In Addition                    |
|---|---|--------------|------------------------------|---------------|--------------------------------|
| 4 CSR 240-2.040   | Public Service Commission                       |              | 36 MoReg 1044                |               |                                |
| 4 CSR 240-2.045   | Public Service Commission                       |              | 36 MoReg 1044R               |               |                                |
| 4 CSR 240-2.050   | Public Service Commission                       |              | 36 MoReg 1045                |               |                                |
| 4 CSR 240-2.060   | Public Service Commission                       |              | 36 MoReg 1045                |               |                                |
| 4 CSR 240-2.062   | Public Service Commission                       |              | 36 MoReg 1046                |               |                                |
| 4 CSR 240-2.065   | Public Service Commission                       |              | 36 MoReg 1051                |               |                                |
| 4 CSR 240-2.070   | Public Service Commission                       |              | 36 MoReg 1051                |               |                                |
| 4 CSR 240-2.075   | Public Service Commission                       |              | 36 MoReg 1053                |               |                                |
| 4 CSR 240-2.080   | Public Service Commission                       |              | 36 MoReg 1054                |               |                                |
| 4 CSR 240-2.085   | Public Service Commission                       |              | 36 MoReg 1056R               |               |                                |
| 4 CSR 240-2.110   | Public Service Commission                       |              | 36 MoReg 1057                |               |                                |
| 4 CSR 240-2.116   | Public Service Commission                       |              | 36 MoReg 1058                |               |                                |
| 4 CSR 240-2.125   | Public Service Commission                       |              | 36 MoReg 1058                |               |                                |
| 4 CSR 240-2.130   | Public Service Commission                       |              | 36 MoReg 1059                |               |                                |
| 4 CSR 240-2.135   | Public Service Commission                       |              | 36 MoReg 1060                |               |                                |
| 4 CSR 240-2.140   | Public Service Commission                       |              | 36 MoReg 1063                |               |                                |
| 4 CSR 240-2.160   | Public Service Commission                       |              | 36 MoReg 1063                |               |                                |
| 4 CSR 240-2.180   | Public Service Commission                       |              | 36 MoReg 1064                |               |                                |
| 4 CSR 240-3.163   | Public Service Commission                       |              | 35 MoReg 1610                | 36 MoReg 1071 |                                |
| 4 CSR 240-3.164   | Public Service Commission                       |              | 35 MoReg 1629                | 36 MoReg 1088 |                                |
| 4 CSR 240-3.510   | Public Service Commission                       |              | 35 MoReg 1736                | 36 MoReg 997  |                                |
| 4 CSR 240-20.093  | Public Service Commission                       |              | 35 MoReg 1647                | 36 MoReg 1105 |                                |
| 4 CSR 240-20.094  | Public Service Commission                       |              | 35 MoReg 1667                | 36 MoReg 1126 |                                |
| 4 CSR 240-20.100  | Public Service Commission                       |              |                              |               | 36 MoReg 1002<br>36 MoReg 1008 |
| 4 CSR 240-22.010  | Public Service Commission                       |              | 35 MoReg 1737                |               |                                |
| 4 CSR 240-22.020  | Public Service Commission                       |              | 35 MoReg 1738                |               |                                |
| 4 CSR 240-22.030  | Public Service Commission                       |              | 35 MoReg 1741                |               |                                |
| 4 CSR 240-22.040  | Public Service Commission                       |              | 35 MoReg 1746                |               |                                |
| 4 CSR 240-22.045  | Public Service Commission                       |              | 35 MoReg 1749                |               |                                |
| 4 CSR 240-22.050  | Public Service Commission                       |              | 35 MoReg 1753                |               |                                |
| 4 CSR 240-22.060  | Public Service Commission                       |              | 35 MoReg 1761                |               |                                |
| 4 CSR 240-22.070  | Public Service Commission                       |              | 35 MoReg 1766                |               |                                |
| 4 CSR 240-22.080  | Public Service Commission                       |              | 35 MoReg 1769                |               |                                |
| 4 CSR 240-32.190  | Public Service Commission                       |              | 35 MoReg 1848                | This Issue    | 36 MoReg 190                   |
| 4 CSR 240-123.080                                       | Public Service Commission                       |              | 35 MoReg 1686                | 36 MoReg 905  |                                |
| 4 CSR 240-125.090                                       | Public Service Commission                       |              | 35 MoReg 1686                | 36 MoReg 905  |                                |
| <b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b> |   |              |                              |               |                                |
| 5 CSR 50-345.105  | Office of Quality Schools                       |              | 36 MoReg 1065                |               |                                |
| 5 CSR 70-742.141  | Special Education                               |              | N.A.                         | 36 MoReg 997  |                                |
| <b>DEPARTMENT OF HIGHER EDUCATION</b>                   |   |              |                              |               |                                |
| 6 CSR 10-2.080  | Commissioner of Higher Education                |              | 36 MoReg 229                 | This Issue    |                                |
| 6 CSR 10-2.150  | Commissioner of Higher Education                |              | 36 MoReg 230                 | This Issue    |                                |
| 6 CSR 10-2.180  | Commissioner of Higher Education                |              | 36 MoReg 980                 |               |                                |
| 6 CSR 10-2.190  | Commissioner of Higher Education                |              | 36 MoReg 982                 |               |                                |
| <b>DEPARTMENT OF TRANSPORTATION</b>                     |   |              |                              |               |                                |
| 7 CSR 10-25.010   | Missouri Highways and Transportation Commission |              |                              |               | 36 MoReg 939<br>This Issue     |
| <b>DEPARTMENT OF NATURAL RESOURCES</b>                  |   |              |                              |               |                                |
| 10 CSR 10-2.040   | Air Conservation Commission                     |              | 36 MoReg 985R                |               |                                |
| 10 CSR 10-3.060   | Air Conservation Commission                     |              | 36 MoReg 985R                |               |                                |
| 10 CSR 10-4.040   | Air Conservation Commission                     |              | 36 MoReg 985R                |               |                                |
| 10 CSR 10-5.030   | Air Conservation Commission                     |              | 36 MoReg 986R                |               |                                |
| 10 CSR 10-5.330   | Air Conservation Commission                     |              | 36 MoReg 14<br>36 MoReg 712  |               |                                |
| 10 CSR 10-5.340   | Air Conservation Commission                     |              | 36 MoReg 32<br>36 MoReg 730  |               |                                |
| 10 CSR 10-5.442   | Air Conservation Commission                     |              | 36 MoReg 38<br>36 MoReg 736  |               |                                |
| 10 CSR 10-5.455   | Air Conservation Commission                     |              | 36 MoReg 47<br>36 MoReg 745  |               |                                |
| 10 CSR 10-6.020   | Air Conservation Commission                     |              | 36 MoReg 51<br>36 MoReg 749  |               |                                |
| 10 CSR 10-6.060   | Air Conservation Commission                     | 36 MoReg 218 | 36 MoReg 86<br>36 MoReg 784  |               | 36 MoReg 676                   |
| 10 CSR 10-6.065   | Air Conservation Commission                     | 36 MoReg 219 | 36 MoReg 95<br>36 MoReg 793  |               | 36 MoReg 677                   |
| 10 CSR 10-6.200   | Air Conservation Commission                     |              | 36 MoReg 103<br>36 MoReg 801 |               |                                |
| 10 CSR 10-6.300   | Air Conservation Commission                     |              | 36 MoReg 816                 |               |                                |
| 10 CSR 10-6.405   | Air Conservation Commission                     |              | 36 MoReg 986                 |               |                                |
| 10 CSR 20-8.110   | Clean Water Commission                          |              | 35 MoReg 1454                |               |                                |
| 10 CSR 23-4.010   | Division of Geology and Land Survey             |              | 36 MoReg 118                 |               |                                |
| 10 CSR 23-4.020   | Division of Geology and Land Survey             |              | 36 MoReg 119                 |               |                                |
| 10 CSR 23-4.030   | Division of Geology and Land Survey             |              | 36 MoReg 120                 |               |                                |
| 10 CSR 23-4.040   | Division of Geology and Land Survey             |              | 36 MoReg 120R                |               |                                |

| Rule Number                                     | Agency  | Emergency     | Proposed      | Order         | In Addition                                 |
|---|---|---------------|---------------|---------------|---|
| 10 CSR 23-4.050                                 | Division of Geology and Land Survey                                   |               | 36 MoReg 121  |               |   |
| 10 CSR 23-4.060                                 | Division of Geology and Land Survey                                   |               | 36 MoReg 121  |               |   |
| 10 CSR 23-4.070                                 | Division of Geology and Land Survey                                   |               | 36 MoReg 126R |               |   |
| 10 CSR 23-4.080                                 | Division of Geology and Land Survey                                   |               | 36 MoReg 126  |               |   |
| <b>DEPARTMENT OF PUBLIC SAFETY</b>              |   |               |               |               |   |
| 11 CSR 10-11                                    | Adjutant General  |               |               |               | This Issue                                  |
| 11 CSR 45-4.020                                 | Missouri Gaming Commission  |               | This Issue    |               |   |
| 11 CSR 45-4.030                                 | Missouri Gaming Commission  |               | 36 MoReg 988  |               |   |
| 11 CSR 45-4.200                                 | Missouri Gaming Commission  |               | This Issue    |               |   |
| 11 CSR 45-4.500                                 | Missouri Gaming Commission<br>( <i>Changed to 11 CSR 45-5.400</i> )   |               | This Issue    |               |   |
| 11 CSR 45-4.510                                 | Missouri Gaming Commission  |               | This IssueR   |               |   |
| 11 CSR 45-4.520                                 | Missouri Gaming Commission  |               | This IssueR   |               |   |
| 11 CSR 45-4.530                                 | Missouri Gaming Commission<br>( <i>Changed to 11 CSR 45-5.410</i> )   |               | This Issue    |               |   |
| 11 CSR 45-4.540                                 | Missouri Gaming Commission<br>( <i>Changed to 11 CSR 45-5.420</i> )   |               | This Issue    |               |   |
| 11 CSR 45-5.130                                 | Missouri Gaming Commission  |               | 35 MoReg 1780 | This Issue    |   |
| 11 CSR 45-5.192                                 | Missouri Gaming Commission  |               | This Issue    |               |   |
| 11 CSR 45-5.400                                 | Missouri Gaming Commission<br>( <i>Changed from 11 CSR 45-4.500</i> ) |               | This Issue    |               |   |
| 11 CSR 45-5.410                                 | Missouri Gaming Commission<br>( <i>Changed from 11 CSR 45-4.530</i> ) |               | This Issue    |               |   |
| 11 CSR 45-5.420                                 | Missouri Gaming Commission<br>( <i>Changed from 11 CSR 45-4.540</i> ) |               | This Issue    |               |   |
| 11 CSR 45-7.070                                 | Missouri Gaming Commission  |               | 35 MoReg 1780 | This Issue    |   |
| 11 CSR 45-9.102                                 | Missouri Gaming Commission  |               | 35 MoReg 1781 | This Issue    |   |
| 11 CSR 45-9.105                                 | Missouri Gaming Commission  |               | 35 MoReg 1781 | This Issue    |   |
| 11 CSR 45-9.119                                 | Missouri Gaming Commission  |               | 35 MoReg 1781 | This Issue    |   |
| 11 CSR 45-9.121                                 | Missouri Gaming Commission  |               | 35 MoReg 1787 | This Issue    |   |
| 11 CSR 45-9.122                                 | Missouri Gaming Commission  |               | 35 MoReg 1787 | This Issue    |   |
| 11 CSR 45-10.020                                | Missouri Gaming Commission  |               | 36 MoReg 988  |               |   |
| 11 CSR 45-12.090                                | Missouri Gaming Commission  |               | 36 MoReg 127  |               |   |
| <b>DEPARTMENT OF REVENUE</b>                    |   |               |               |               |   |
| 12 CSR 10-3.888                                 | Director of Revenue   |               | 36 MoReg 899R |               |   |
| 12 CSR 10-23.475                                | Director of Revenue   | 36 MoReg 875  | 36 MoReg 899  |               |   |
| 12 CSR 10-41.010                                | Director of Revenue   | 35 MoReg 1735 | 35 MoReg 1787 | 36 MoReg 905  |   |
| 12 CSR 30-3.010                                 | State Tax Commission  |               | 36 MoReg 902  |               |   |
| <b>DEPARTMENT OF SOCIAL SERVICES</b>            |   |               |               |               |   |
| 13 CSR 30-2.010                                 | Child Support Enforcement   |               | 35 MoReg 1688 | 36 MoReg 936  |   |
| 13 CSR 35-32.020                                | Children's Division   |               | 36 MoReg 989  |               |   |
| 13 CSR 35-32.030                                | Children's Division   |               | 36 MoReg 994  |               |   |
| 13 CSR 40-2.370                                 | Family Support Division   |               | 35 MoReg 1556 | 36 MoReg 937  |   |
| 13 CSR 70-3.110                                 | MO HealthNet Division   |               | 36 MoReg 128R | This IssueR   |   |
| 13 CSR 70-20.320                                | MO HealthNet Division   | 35 MoReg 1072 | 35 MoReg 1114 |               |   |
| 13 CSR 70-97.010                                | MO HealthNet Division   |               | 36 MoReg 128  | This Issue    |   |
| <b>ELECTED OFFICIALS</b>                        |   |               |               |               |   |
| 15 CSR 30-54.210                                | Secretary of State  |               | 36 MoReg 128  | 36 MoReg 1149 |   |
| 15 CSR 40-3.010                                 | State Auditor   |               | This Issue    |               |   |
| 15 CSR 60-8.010                                 | Attorney General  |               | 36 MoReg 230  |               |   |
| <b>RETIREMENT SYSTEMS</b>                       |   |               |               |               |   |
| 16 CSR 10-4.010                                 | The Public School Retirement System of Missouri                       |               | 36 MoReg 231  |               |   |
| 16 CSR 10-6.040                                 | The Public School Retirement System of Missouri                       |               | 36 MoReg 231  |               |   |
| 16 CSR 20-2.110                                 | Missouri Local Government Employees' Retirement System (LAGERS)       |               | This Issue    |               |   |
| 16 CSR 50-2.030                                 | The County Employees' Retirement Fund                                 |               | 35 MoReg 1791 | This Issue    |   |
| 16 CSR 50-3.010                                 | The County Employees' Retirement Fund                                 |               | 35 MoReg 1791 | This Issue    |   |
| 16 CSR 50-10.010                                | The County Employees' Retirement Fund                                 |               | 36 MoReg 527  |               |   |
| 16 CSR 50-10.030                                | The County Employees' Retirement Fund                                 |               | 36 MoReg 527  |               |   |
| 16 CSR 50-10.070                                | The County Employees' Retirement Fund                                 |               | 36 MoReg 527  |               |   |
| 16 CSR 50-10.080                                | The County Employees' Retirement Fund                                 |               | 36 MoReg 528  |               |   |
| <b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b> |   |               |               |               |   |
| 19 CSR 30-61.105                                | Division of Regulation and Licensure                                  |               | 36 MoReg 902  |               |   |
| 19 CSR 30-61.175                                | Division of Regulation and Licensure                                  |               | 36 MoReg 903  |               |   |
| 19 CSR 30-62.102                                | Division of Regulation and Licensure                                  |               | 36 MoReg 903  |               |   |
| 19 CSR 30-62.182                                | Division of Regulation and Licensure                                  |               | 36 MoReg 904  |               |   |
| 19 CSR 60-50                                    | Missouri Health Facilities Review Committee                           |               |               |               | 36 MoReg 940<br>36 MoReg 1012<br>This Issue |
| 19 CSR 60-50.200                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1562 | 36 MoReg 998  |   |
| 19 CSR 60-50.300                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1562 | 36 MoReg 998  |   |
| 19 CSR 60-50.400                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1563 | 36 MoReg 999  |   |
| 19 CSR 60-50.410                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1564 | 36 MoReg 999  |   |
| 19 CSR 60-50.420                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1565 | 36 MoReg 999  |   |
| 19 CSR 60-50.430                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1566 | 36 MoReg 1000 |   |
| 19 CSR 60-50.440                                | Missouri Health Facilities Review Committee                           |               | 35 MoReg 1569 | 36 MoReg 1000 |   |

| Rule Number  | Agency   | Emergency                                     | Proposed                       | Order         | In Addition                                   |
|--|--|---|--------------------------------|---------------|---|
| 19 CSR 60-50.450   | Missouri Health Facilities Review Committee      |   | 35 MoReg 1569                  | 36 MoReg 1000 |   |
| 19 CSR 60-50.470   | Missouri Health Facilities Review Committee      |   | 35 MoReg 1571                  | 36 MoReg 1001 |   |
| 19 CSR 60-50.500   | Missouri Health Facilities Review Committee      |   | 35 MoReg 1571                  | 36 MoReg 1001 |   |
| 19 CSR 60-50.600   | Missouri Health Facilities Review Committee      |   | 35 MoReg 1572                  | 36 MoReg 1001 |   |
| 19 CSR 60-50.700   | Missouri Health Facilities Review Committee      |   | 35 MoReg 1572                  | 36 MoReg 1001 |   |
| 19 CSR 60-50.800   | Missouri Health Facilities Review Committee      |   | 35 MoReg 1573                  | 36 MoReg 1001 |   |
| <b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b> |  |   |                                |               |   |
| 20 CSR   | Construction Claims Binding Arbitration Cap      |   |                                |               | 33 MoReg 2446<br>35 MoReg 654<br>36 MoReg 192 |
| 20 CSR   | Medical Malpractice                              |   |                                |               | 31 MoReg 616<br>32 MoReg 545                  |
| 20 CSR   | Sovereign Immunity Limits                        |   |                                |               | 33 MoReg 2446<br>35 MoReg 318                 |
| 20 CSR   | State Legal Expense Fund Cap                     |   |                                |               | 33 MoReg 2446<br>35 MoReg 654<br>36 MoReg 192 |
| 20 CSR 200-1.005   | Insurance Solvency and Company Regulation        |   | 36 MoReg 931                   |               |   |
| 20 CSR 200-1.030   | Insurance Solvency and Company Regulation        |   | 36 MoReg 931                   |               |   |
| 20 CSR 200-1.160   | Insurance Solvency and Company Regulation        |   | 36 MoReg 932                   |               |   |
| 20 CSR 400-1.170   | Life, Annuities and Health                       |   | 36 MoReg 933                   |               |   |
| 20 CSR 400-2.180   | Life, Annuities and Health                       |   | 35 MoReg 1485                  | 36 MoReg 937  |   |
| 20 CSR 400-8.200   | Life, Annuities and Health                       |   | 36 MoReg 934                   |               |   |
| 20 CSR 2015-1.030  | Acupuncturist Advisory Committee                 | This Issue                                    | This Issue                     |               |   |
| 20 CSR 2063-1.005  | Behavior Analyst Advisory Board                  |   | 36 MoReg 129                   | 36 MoReg 1149 |   |
| 20 CSR 2063-1.010  | Behavior Analyst Advisory Board                  | 36 MoReg 5                                    | 36 MoReg 132                   | 36 MoReg 1149 |   |
| 20 CSR 2063-1.015  | Behavior Analyst Advisory Board                  | 36 MoReg 6                                    | 36 MoReg 135                   | 36 MoReg 1149 |   |
| 20 CSR 2063-1.020  | Behavior Analyst Advisory Board                  |   | 36 MoReg 140                   | 36 MoReg 1149 |   |
| 20 CSR 2063-2.005  | Behavior Analyst Advisory Board                  | 36 MoReg 7                                    | 36 MoReg 143                   | 36 MoReg 1149 |   |
| 20 CSR 2063-2.010  | Behavior Analyst Advisory Board                  |   | 36 MoReg 148                   | 36 MoReg 1150 |   |
| 20 CSR 2063-2.015  | Behavior Analyst Advisory Board                  | 36 MoReg 8                                    | 36 MoReg 153                   | 36 MoReg 1150 |   |
| 20 CSR 2063-3.005  | Behavior Analyst Advisory Board                  | 36 MoReg 9                                    | 36 MoReg 156                   | 36 MoReg 1150 |   |
| 20 CSR 2063-4.005  | Behavior Analyst Advisory Board                  | 36 MoReg 10                                   | 36 MoReg 159                   | 36 MoReg 1150 |   |
| 20 CSR 2063-4.010  | Behavior Analyst Advisory Board                  |   | 36 MoReg 162                   | 36 MoReg 1150 |   |
| 20 CSR 2063-5.005  | Behavior Analyst Advisory Board                  | 36 MoReg 11                                   | 36 MoReg 167                   | 36 MoReg 1151 |   |
| 20 CSR 2070-2.090  | State Board of Chiropractic Examiners            | 35 MoReg 1609                                 |                                |               |   |
| 20 CSR 2095-1.020  | Committee for Professional Counselors            | This Issue                                    | This Issue                     |               |   |
| 20 CSR 2150-2.080  | State Board of Registration for the Healing Arts | 36 MoReg 13                                   | 36 MoReg 173                   | 36 MoReg 1151 |   |
| 20 CSR 2150-7.010  | State Board of Registration for the Healing Arts |   | 35 MoReg 1791                  | This Issue    |   |
| 20 CSR 2150-7.100  | State Board of Registration for the Healing Arts |   | 35 MoReg 1792                  | This Issue    |   |
| 20 CSR 2150-7.125  | State Board of Registration for the Healing Arts |   | 35 MoReg 1792                  | This Issue    |   |
| 20 CSR 2150-7.130  | State Board of Registration for the Healing Arts |   | 35 MoReg 1793                  | This Issue    |   |
| 20 CSR 2150-7.135  | State Board of Registration for the Healing Arts |   | 35 MoReg 1796                  | This Issue    |   |
| 20 CSR 2150-7.136  | State Board of Registration for the Healing Arts |   | 35 MoReg 1798                  | This Issue    |   |
| 20 CSR 2150-7.137  | State Board of Registration for the Healing Arts |   | 35 MoReg 1798                  | This Issue    |   |
| 20 CSR 2150-7.200  | State Board of Registration for the Healing Arts |   | 35 MoReg 1798                  | This Issue    |   |
| 20 CSR 2200-4.010  | State Board of Nursing                           | 36 MoReg 703                                  | 36 MoReg 831                   |               |   |
| 20 CSR 2220-2.005  | State Board of Pharmacy                          | 35 MoReg 1451                                 | 35 MoReg 1485<br>36 MoReg 1070 |               |   |
| 20 CSR 2234-1.050  | Board of Private Investigator Examiners          |   | 35 MoReg 1690                  | 36 MoReg 1001 |   |
| 20 CSR 2267-2.020  | Office of Tattooing, Body Piercing, and Branding |   | 35 MoReg 1849                  | 36 MoReg 1151 |   |
| <b>MISSOURI CONSOLIDATED HEALTH CARE PLAN</b>  |  |   |                                |               |   |
| 22 CSR 10-2.010  | Health Care Plan                                 | 36 MoReg 349<br>36 MoReg 963T<br>36 MoReg 963 | 36 MoReg 528                   |               |   |
| 22 CSR 10-2.020  | Health Care Plan                                 | 36 MoReg 356                                  | 36 MoReg 536                   |               |   |
| 22 CSR 10-2.045  | Health Care Plan                                 | 36 MoReg 361                                  | 36 MoReg 543                   |               |   |
| 22 CSR 10-2.050  | Health Care Plan                                 | 36 MoReg 363R                                 | 36 MoReg 544R                  |               |   |
| 22 CSR 10-2.051  | Health Care Plan                                 | 36 MoReg 363                                  | 36 MoReg 544                   |               |   |
| 22 CSR 10-2.052  | Health Care Plan                                 | 36 MoReg 364                                  | 36 MoReg 549                   |               |   |
| 22 CSR 10-2.053  | Health Care Plan                                 | 36 MoReg 365                                  | 36 MoReg 553                   |               |   |
| 22 CSR 10-2.054  | Health Care Plan                                 | 36 MoReg 366                                  | 36 MoReg 557                   |               |   |
| 22 CSR 10-2.055  | Health Care Plan                                 | 36 MoReg 366                                  | 36 MoReg 561                   |               |   |
| 22 CSR 10-2.060  | Health Care Plan                                 | 36 MoReg 381                                  | 36 MoReg 578                   |               |   |
| 22 CSR 10-2.064  | Health Care Plan                                 | 36 MoReg 384R                                 | 36 MoReg 582R                  |               |   |
| 22 CSR 10-2.075  | Health Care Plan                                 | 36 MoReg 384<br>36 MoReg 387T<br>36 MoReg 387 | 36 MoReg 582                   |               |   |

| Rule Number     | Agency           | Emergency                                     | Proposed      | Order | In Addition |
|-----------------|------------------|---|---------------|-------|-------------|
| 22 CSR 10-2.090 | Health Care Plan | 36 MoReg 391                                  | 36 MoReg 588  |       |             |
| 22 CSR 10-2.091 | Health Care Plan | 36 MoReg 392                                  | 36 MoReg 592  |       |             |
| 22 CSR 10-2.092 | Health Care Plan | 36 MoReg 394                                  | 36 MoReg 593  |       |             |
| 22 CSR 10-2.093 | Health Care Plan | 36 MoReg 395                                  | 36 MoReg 597  |       |             |
| 22 CSR 10-3.010 | Health Care Plan | 36 MoReg 400<br>36 MoReg 971T<br>36 MoReg 971 | 36 MoReg 604  |       |             |
| 22 CSR 10-3.045 | Health Care Plan | 36 MoReg 408                                  | 36 MoReg 611  |       |             |
| 22 CSR 10-3.050 | Health Care Plan | 36 MoReg 409R                                 | 36 MoReg 612R |       |             |
| 22 CSR 10-3.051 | Health Care Plan | 36 MoReg 409R                                 | 36 MoReg 613R |       |             |
| 22 CSR 10-3.052 | Health Care Plan | 36 MoReg 410R                                 | 36 MoReg 613R |       |             |
| 22 CSR 10-3.053 | Health Care Plan | 36 MoReg 410                                  | 36 MoReg 613  |       |             |
| 22 CSR 10-3.054 | Health Care Plan | 36 MoReg 411                                  | 36 MoReg 618  |       |             |
| 22 CSR 10-3.055 | Health Care Plan | 36 MoReg 412                                  | 36 MoReg 622  |       |             |
| 22 CSR 10-3.056 | Health Care Plan | 36 MoReg 412                                  | 36 MoReg 626  |       |             |
| 22 CSR 10-3.057 | Health Care Plan | 36 MoReg 413                                  | 36 MoReg 631  |       |             |
| 22 CSR 10-3.060 | Health Care Plan | 36 MoReg 428                                  | 36 MoReg 648  |       |             |
| 22 CSR 10-3.075 | Health Care Plan | 36 MoReg 431<br>36 MoReg 433T<br>36 MoReg 434 | 36 MoReg 652  |       |             |
| 22 CSR 10-3.090 | Health Care Plan | 36 MoReg 437                                  | 36 MoReg 657  |       |             |
| 22 CSR 10-3.092 | Health Care Plan | 36 MoReg 439                                  | 36 MoReg 661  |       |             |
| 22 CSR 10-3.093 | Health Care Plan | 36 MoReg 441                                  | 36 MoReg 667  |       |             |

# Emergency Rule Table

| Agency  | Publication    | Effective      | Expiration    |
|---|----------------|----------------|---------------|
| <b>Office of Administration</b>   |                |                |               |
| <b>Commissioner of Administration</b>   |                |                |               |
| 1 CSR 10-15.010 Cafeteria Plan  | .36 MoReg 273  | Jan. 1, 2011   | June 29, 2011 |
| <b>Department of Agriculture</b>  |                |                |               |
| <b>Animal Health</b>  |                |                |               |
| 2 CSR 30-9.020 Animal Care Facility Rules Governing Licensing, Fees Reports, Record Keeping, Veterinary Care, Identification and Holding Period | .36 MoReg 217  | Dec. 17, 2010  | June 14, 2011 |
| <b>Department of Natural Resources</b>  |                |                |               |
| <b>Air Conservation Commission</b>  |                |                |               |
| 10 CSR 10-6.060 Construction Permits Required   | .36 MoReg 218  | Jan. 3, 2011   | July 1, 2011  |
| 10 CSR 10-6.065 Operating Permits   | .36 MoReg 219  | Jan. 3, 2011   | July 1, 2011  |
| <b>Department of Revenue</b>  |                |                |               |
| <b>Director of Revenue</b>  |                |                |               |
| 12 CSR 10-23.475 Fees and Required Documentation for Designating Manufactured Homes as Real Estate or Personal Property                         | .36 MoReg 875  | March 1, 2011  | Aug. 27, 2011 |
| 12 CSR 10-41.010 Annual Adjusted Rate of Interest   | .35 MoReg 1735 | Jan. 1, 2011   | June 29, 2011 |
| <b>Department of Insurance, Financial Institutions and Professional Registration</b>  |                |                |               |
| <b>Acupuncturist Advisory Committee</b>   |                |                |               |
| 20 CSR 2015-1.030 Fees  | This Issue     | April 11, 2010 | Jan. 18, 2012 |
| <b>Behavior Analyst Advisory Board</b>  |                |                |               |
| 20 CSR 2063-1.010 Definitions   | .36 MoReg 5    | Dec. 10, 2010  | June 7, 2011  |
| 20 CSR 2063-1.015 Fees  | .36 MoReg 6    | Dec. 10, 2010  | June 7, 2011  |
| 20 CSR 2063-2.005 Application for Licensure   | .36 MoReg 7    | Dec. 10, 2010  | June 7, 2011  |
| 20 CSR 2063-2.015 Notification of Change of Address   | .36 MoReg 8    | Dec. 10, 2010  | June 7, 2011  |
| 20 CSR 2063-3.005 Certifying Entities   | .36 MoReg 9    | Dec. 10, 2010  | June 7, 2011  |
| 20 CSR 2063-4.005 Education and Training Requirements   | .36 MoReg 10   | Dec. 10, 2010  | June 7, 2011  |
| 20 CSR 2063-5.005 Supervision of Assistant Behavior Analysts  | .36 MoReg 11   | Dec. 10, 2010  | June 7, 2011  |
| <b>Committee for Professional Counselors</b>  |                |                |               |
| 20 CSR 2095-1.020 Fees  | This Issue     | April 11, 2011 | Jan. 18, 2012 |
| <b>State Board of Nursing</b>   |                |                |               |
| 20 CSR 2200-4.010 Fees  | .36 MoReg 703  | Jan. 14, 2011  | July 12, 2011 |
| <b>Missouri Consolidated Health Care Plan</b>   |                |                |               |
| <b>Health Care Plan</b>   |                |                |               |
| 22 CSR 10-2.010 Definitions   | .36 MoReg 963  | March 7, 2011  | June 29, 2011 |
| 22 CSR 10-2.020 General Membership Provisions   | .36 MoReg 356  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.045 Plan Utilization Review Policy  | .36 MoReg 361  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.050 Copay Plan Benefit Provisions and Covered Charges   | .36 MoReg 362  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges   | .36 MoReg 363  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.052 PPO 600 Plan Benefit Provisions and Covered Charges   | .36 MoReg 364  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.053 High Deductible Health Plan Benefit Provisions and Covered Charges  | .36 MoReg 365  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.054 Medicare Supplement Plan Benefit Provisions and Covered Charges   | .36 MoReg 366  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges   | .36 MoReg 366  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.060 PPO 300 Plan, PPO 600 Plan, and HDHP Limitations  | .36 MoReg 381  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.064 HMO Summary of Medical Benefits   | .36 MoReg 384  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.075 Review and Appeals Procedure  | .36 MoReg 387  | Jan. 20, 2011  | June 29, 2011 |
| 22 CSR 10-2.090 Pharmacy Benefit Summary  | .36 MoReg 391  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.091 Wellness Program Coverage, Provisions and Limitations   | .36 MoReg 392  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.092 Dental Benefit Summary  | .36 MoReg 394  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-2.093 Vision Benefit Summary  | .36 MoReg 395  | Jan. 1, 2011   | June 29, 2011 |
| 22 CSR 10-3.010 Definitions   | .36 MoReg 971  | March 7, 2011  | June 29, 2011 |

| <b>Agency</b>          |  | <b>Publication</b>      | <b>Effective</b>        | <b>Expiration</b> |
|------------------------|--|-------------------------|-------------------------|-------------------|
| <b>22 CSR 10-3.045</b> | Plan Utilization Review Policy . . . . .   | .36 MoReg 408 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.050</b> | Copay Plan Benefit Provisions and Covered Charges . . . . .                        | .36 MoReg 409 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.051</b> | PPO 300 Plan Benefit Provisions and Covered Charges . . . . .                      | .36 MoReg 409 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.052</b> | PPO 500 Plan Benefit Provisions and Covered Charges . . . . .                      | .36 MoReg 410 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.053</b> | PPO 1000 Plan Benefit Provisions and Covered Charges . . . . .                     | .36 MoReg 410 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.054</b> | PPO 2000 Plan Benefit Provisions and Covered Charges . . . . .                     | .36 MoReg 411 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.055</b> | High Deductible Health Plan Benefit Provisions<br>and Covered Charges . . . . .    | .36 MoReg 412 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.056</b> | PPO 600 Plan Benefit Provisions and Covered Charges . . . . .                      | .36 MoReg 412 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.057</b> | Medical Plan Benefit Provisions and Covered Charges . . . . .                      | .36 MoReg 413 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.060</b> | PPO 600 Plan, PPO 1000 Plan, PPO 2000 Plan, and<br>HDHP Plan Limitations . . . . . | .36 MoReg 428 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.075</b> | Review and Appeals Procedure . . . . .   | .36 MoReg 434 . . . . . | Jan. 20, 2011 . . . . . | June 29, 2011     |
| <b>22 CSR 10-3.090</b> | Pharmacy Benefit Summary . . . . .   | .36 MoReg 437 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.092</b> | Dental Benefit Summary . . . . .   | .36 MoReg 439 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |
| <b>22 CSR 10-3.093</b> | Vision Benefit Summary . . . . .   | .36 MoReg 441 . . . . . | Jan. 1, 2011 . . . . .  | June 29, 2011     |

# Executive Orders

| Executive Orders             | Subject Matter  | Filed Date     | Publication   |
|------------------------------|---|----------------|---------------|
| <b>2011</b>                  |   |                |               |
| 11-05                        | Orders the Missouri Department of Transportation to assist local jurisdictions in counties that: 1) received record snowfalls; and 2) continuing snow clearance exceeds their capabilities  | Feb. 4, 2011   | 36 MoReg 883  |
| 11-04                        | Activates the state militia in response to severe weather that began on January 31, 2011  | Jan. 31, 2011  | 36 MoReg 881  |
| 11-03                        | Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated  | Jan. 31, 2011  | 36 MoReg 879  |
| 11-02                        | Extends the declaration of emergency contained in Executive Order 10-27 and the terms of Executive Order 11-01 through February 28, 2011  | Jan. 28, 2011  | 36 MoReg 877  |
| 11-01                        | Gives the Director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe winter weather that began on December 30  | Jan. 4, 2011   | 36 MoReg 705  |
| <b>2010</b>                  |   |                |               |
| 10-27                        | Declares a state of emergency and directs the Missouri State Emergency Operations Plan be activated due to severe weather that began on December 30   | Dec. 31, 2010  | 36 MoReg 446  |
| <b>Emergency Declaration</b> | Proclaims an emergency declaration concerning the damage and structural integrity of the State Route A bridge over the Weldon Fork of the Thompson River  | Sept. 28, 2010 | 35 MoReg 1531 |
| 10-26                        | Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies  | Sept. 24, 2010 | 35 MoReg 1529 |
| 10-25                        | 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 |
| 10-24                        | 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 |
| 10-23                        | Activates the state militia in response to severe weather that began on June 12   | June 23, 2010  | 35 MoReg 1078 |
| 10-22                        | 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 |
| 10-21                        | Activates the Missouri State Emergency Operations Center  | June 15, 2010  | 35 MoReg 1018 |
| 10-20                        | Establishes the Missouri Civil War Sesquicentennial Commission  | April 2, 2010  | 35 MoReg 754  |
| 10-19                        | 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  |
| 10-18                        | 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  |
| 10-17                        | 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  |
| 10-16                        | 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  |
| 10-15                        | 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  |
| 10-14                        | Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies  | Jan. 29, 2010  | 35 MoReg 443  |
| 10-13                        | 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  |
| 10-12                        | 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  |
| 10-11                        | 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  |
| 10-10                        | 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  |

**Executive  
Orders**

|       | Subject Matter  | Filed Date    | Publication  |
|-------|---|---------------|--------------|
| 10-09 | 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 |
| 10-08 | Rescinds Executive Order 04-07 and terminates the Missouri Commission on Patient Safety   | Jan. 15, 2010 | 35 MoReg 358 |
| 10-07 | Rescinds Executive Order 01-16 and terminates the Missouri Commission on Intergovernmental Cooperation  | Jan. 15, 2010 | 35 MoReg 357 |
| 10-06 | 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 |
| 10-05 | Rescinds Executive Order 95-28 and terminates the Missouri Board of Geographic Names  | Jan. 15, 2010 | 35 MoReg 355 |
| 10-04 | Rescinds Executive Order 03-10 and terminates the Missouri Energy Policy Council  | Jan. 15, 2010 | 35 MoReg 354 |
| 10-03 | Rescinds Executive Order 03-01 and terminates the Missouri Lewis and Clark Bicentennial Commission  | Jan. 15, 2010 | 35 MoReg 353 |
| 10-02 | 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 |
| 10-01 | Rescinds Executive Order 01-15 and terminates the Missouri Commission on Total Compensation   | Jan. 15, 2010 | 35 MoReg 351 |

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

## ACUPUNCTURIST ADVISORY COMMITTEE

Fees; 20 CSR 2015-1.030; 5/2/11

## ADMINISTRATION, OFFICE OF

Commissioner of Administration

cafeteria plan; 1 CSR 10-15.010; 2/1/11

## ADJUTANT GENERAL

FEMA notice of intent to reimburse state and local governments and agencies for eligible costs incurred to repair or replace facilities damaged by severe winter and snow storms; 11 CSR 10-11; 5/2/11

## AGRICULTURE

animal health

animal care facility rules governing licensing, fees, reports, record keeping, veterinary care, identification, and holding period; 2 CSR 30-9.020; 1/18/11

duties and facilities of the market/sale veterinarian; 2 CSR 30-6.020; 2/1/11

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