



Rules of
Department of Commerce and
Insurance
Division 2040—Office of Athletics
Chapter 7—Disciplinary and Appeals Procedures

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2040—Office of Athletics
Chapter 7—Disciplinary and Appeals
Procedures**

**20 CSR 2040-7.010 Disciplinary and
Appeals Procedures**

PURPOSE: This rule describes the grounds for refusal to issue or renew, suspend, or revoke licenses granted under Chapter 317, RSMo and to provide for appeals.

(1) Complaints Against Licensees. Any person wishing to make a complaint against a licensee under sections 317.001–317.021, RSMo may file the written complaint with the office setting forth supporting details. If the office determines after an investigation, that the charges warrant discipline on the license, the office shall—

(A) File a complaint with the Administrative Hearing Commission (AHC) as provided by Chapter 621, RSMo; or

(B) Engage in formal settlement negotiations with the licensee as provided by section 621.045.3, RSMo.

(2) Any person holding more than one (1) license issued by the office and disciplined under one (1) license will automatically be disciplined under all.

(3) If a formal complaint is filed, the proceeding shall be conducted in accordance with the provisions of Chapter 621, RSMo. If the Administrative Hearing Commission finds that grounds for disciplinary action are met, the office, singly or in combination, may place the person named in the complaint on probation on appropriate terms and conditions for a period not to exceed five (5) years, it may suspend the person's license for a period not to exceed three (3) years or it may revoke the person's license.

(4) Any party may contest the outcome of any bout within ten (10) days of the decision by writing all the facts and the basis for the complaint. The complaint must be forwarded to the office. If there appears to be a violation of these rules, the director or his/her designate shall investigate, and, if the claims seem to be substantial, hold a hearing and issue its findings and decision.

(5) If a contestant in a bout tests positive for a prohibited substance during competition the result of the bout shall be changed to a "no contest" provided, the contestant was judged to be the winner of the bout in which the prohibited substance was used. Any win bonus

pursuant to the written bout agreement that was paid must be returned to the promoter.

(6) Any complaint filed must provide specific rule(s) that were violated and provide evidence there was a misapplication of the rule.

AUTHORITY: section 317.006, RSMo Supp. 2018. This rule originally filed as 4 CSR 40-7.010. Original rule filed April 30, 1982, effective Sept. 11, 1982. Rescinded and readopted: Filed March 2, 1989, effective May 11, 1989. Rescinded and readopted: Filed Nov. 15, 2001, effective May 30, 2002. Moved to 20 CSR 2040-7.010, effective Aug. 28, 2006. Amended: Filed March 20, 2018, effective Sept. 30, 2018. Amended: Filed Jan. 25, 2019, effective Aug. 30, 2019.*

**Original authority: 317.006, RSMo 1983, amended 1996, 2007, 2018.*