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**Rules of  
Department of Commerce and  
Insurance**

**Division 2065—Endowed Care Cemeteries  
Chapter 1—Organization and Description**

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**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE**

**Division 2065—Endowed Care Cemeteries  
Chapter 1—Organization and Description**

**20 CSR 2065-1.010 Application for  
Cemetery Registration**

*This rule originally filed as 4 CSR 65-1.010. Emergency rule filed Aug. 3, 1995, effective Aug. 13, 1995, expired Dec. 10, 1995. Moved to 20 CSR 2065-1.010, effective Aug. 28, 2006.*

**20 CSR 2065-1.020 Cemetery Advisory  
Committee**

(Rescinded November 30, 2018)

*AUTHORITY: sections 214.280, RSMo Supp. 1999 and 214.392, RSMo 1994. This rule originally filed as 4 CSR 65-1.020. Original rule filed Sept. 11, 1997, effective March 30, 1998. Amended: Filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-1.020, effective Aug. 28, 2006. Rescinded: Filed May 11, 2018, effective Nov. 30, 2018.*

**20 CSR 2065-1.030 Definitions**

*PURPOSE: This rule defines terms used in 20 CSR 2065.*

- (1) Applicant—an individual submitting an application for a certificate of authority.
- (2) Division—the Division of Professional Registration.
- (3) FDIC—Federal Deposit Insurance Corporation.
- (4) Office—Office of Endowed Care Cemeteries.

*AUTHORITY: sections 214.270 and 214.392, RSMo 2016.\* This rule originally filed as 4 CSR 65-1.030. Original rule filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-1.030, effective Aug. 28, 2006. Amended: Filed June 16, 2008, effective Dec. 30, 2008. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

*\*Original authority: 214.270, RSMo 1961, amended 1990, 1994, 1996, 2002, 2008, 2009, 2010 and 214.392, RSMo 1994, amended 2001, 2010.*

**20 CSR 2065-1.040 Name and Address  
Changes**

*PURPOSE: This rule outlines the requirements and procedures for notifying the Office of Endowed Care Cemeteries of an owner/operator, trustee, cemetery, name and/or address change.*

(1) The holder of the certificate of authority to own or operate a cemetery, endowed or nonendowed, shall ensure the office has the current legal name and address of the cemetery, the owner of the cemetery and the operator of the cemetery. If the new owner is a corporation, partnership or limited liability company, the holder shall also submit the names of the shareholders, partners or members.

(2) The holder of the certificate of authority to own or operate a cemetery shall notify the office in writing of a change of trustee within thirty (30) days of the change. The notice shall include evidence that the trustee is a state or federally chartered financial institution authorized to exercise trust powers within this state and located in this state.

(3) The office shall be informed in writing thirty (30) days prior to a change in ownership. Notice of all other changes shall be made within thirty (30) days after the change.

(4) If the endowed care cemetery funds are not permanently set aside in a trust fund, but instead held in a segregated bank account, the holder of the certificate of authority shall notify the office if the funds are transferred from one account to another, or if signatories are changed. Notice shall include evidence that the funds are insured by the Federal Deposit Insurance Corporation (FDIC) or comparable deposit insurance and held in a state or federally chartered financial institution authorized to do business in Missouri and located in this state. If a new signatory is an attorney currently licensed in the state of Missouri, notice shall include the attorney's bar number.

(5) Except as specifically stated otherwise, notice of all changes in information shall be provided within thirty (30) days after the change.

*AUTHORITY: sections 214.392.1(5), RSMo 1994 and 620.010.14(2), RSMo Supp. 1999.\* This rule originally filed as 4 CSR 65-1.040. Original rule filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-1.040, effective Aug. 28, 2006.*

*\*Original authority: 214.392, RSMo 1994; 620.010, RSMo 1973, amended 1981, 1983, 1986, 1989, 1990, 1993, 1994, 1995, 1999.*

**20 CSR 2065-1.050 Complaint Handling  
and Disposition**

*PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints pursuant to the mandate of section 620.010.15(6), RSMo.*

(1) The Division of Professional Registration, in coordination with the office, will receive and process each complaint made against any holder of a certificate of authority in which the complaint alleges certain acts or practices that may constitute one (1) or more violations of provisions of sections 214.270–214.516, RSMo, or administrative rules. Any division staff member may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints shall be mailed or delivered to the following address: Office of Endowed Care Cemeteries, 3605 Missouri Boulevard, PO Box 1335, Jefferson City, MO 65102.

(3) All complaints shall be made in writing on a form provided by the division and shall fully identify the complainant by name and address. Verbal or telephone communication will not be considered or processed as complaints, however, the person making such communication will be asked to supplement the communication with a written complaint. Complaints may be based upon personal knowledge, or upon information and belief, reciting information received from other sources. Individuals with special needs, as addressed by the Americans with Disabilities Act, may notify the office at (573) 751-0849 for assistance. The text for the hearing impaired is (800) 735-2966.

(4) Each complaint received under this rule will be logged and maintained by the division. The log will contain a record of each complainant's name, the name and address of the subject(s) of the complaint, the date each complaint was received by the division/office, a brief statement concerning the alleged acts or practices, and the ultimate disposition of the complaint. This log shall be a closed record of the committee.

(5) Each complaint received under this rule shall be acknowledged in writing. The complainant and licensee shall be notified of the ultimate disposition of the complaint.



(6) This rule shall not be deemed to limit the authority to file a complaint with the Administrative Hearing Commission charging the licensee with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the office.

(7) The division interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the office. This rule is not deemed to protect or inure the benefit of those licensees or other persons against whom the office has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of sections 214.270–214.516, RSMo.

*AUTHORITY: section 214.392, RSMo 2016.\* This rule originally filed as 4 CSR 65-1.050. Original rule filed April 14, 2000, effective Oct. 30, 2000. Moved to 20 CSR 2065-1.050, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

*\*Original authority: 214.392, RSMo 1994, amended 2001, 2010.*

jurisdiction or by the Administrative Hearing Commission, the remaining provisions of the rule shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

*AUTHORITY: sections 214.275, 214.280, 214.283, and 610.026, RSMo 2016.\* This rule originally filed as 4 CSR 65-1.060. Original rule filed April 14, 2000, effective Oct. 30, 2000. Amended: Filed Sept. 28, 2001, effective March 30, 2002. Moved to 20 CSR 2065-1.060, effective Aug. 28, 2006. Amended: Filed May 11, 2018, effective Nov. 30, 2018.*

*\*Original authority: 214.275, RSMo 1999, amended 2001; 214.280, RSMo 1961, amended 1994; 214.283, RSMo 1994; and 610.026, RSMo 1987, amended 1998.*

**20 CSR 2065-1.060 Fees**

*PURPOSE: This rule establishes fees for the Division of Professional Registration and the Office of Endowed Care Cemeteries.*

(1) The division establishes the following fees which are nonrefundable:

- (A) Election to Operate Fee           \$ 25.00
- (B) Original Licensing Fee  
    (Endowed Care  
    Cemetery)                         \$250.00
- (C) Original Licensing Fee  
    (Nonendowed Care  
    Cemetery)                         \$100.00
- (D) Copy of Register Fee           \$ 5.00  
    (plus \$.25 per page)
- (E) Insufficient Funds Check  
    Fee Charge                       \$ 25.00
- (F) Annual Renewal Fee (Endowed  
    Care Cemetery and Nonendowed  
    Care Cemetery)                 \$ 50.00  
    (plus \$1.00 for each internment,  
    inurnment, or other disposition  
    of human remains)
- (G) Reinstatement Fee               \$200.00

(2) All fees are nonrefundable.

(3) The provisions of this rule hereby are declared severable. If any fee fixed by this rule is held invalid by a court of competent