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**Rules of**  
**Department of Mental Health**  
**Division 25–Fiscal Management**  
**Chapter 3–Miscellaneous Rules**

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**Title 9—DEPARTMENT OF  
MENTAL HEALTH  
Division 25—Fiscal Management  
Chapter 3—Miscellaneous Rules**

**9 CSR 25-3.030 Access for Inspection of Public Records and Fees for Copying of Public Records**

*PURPOSE: This rule prescribes requirements for individuals and organizations to gain access to public records of the department and fees for copying of those public records.*

(1) Access for inspection of public records shall be granted and copying of those records shall be provided by the department based upon a review of each request. Access for inspection of public records shall be allowed during the normal business hours of the administrative offices of the department facility where the records are stored. Copies of public records shall be provided by the department and shall be subject to the collection of established search and copy fees and applicable sales tax and shipping charges.

(2) Requests for access to or copying of public records may be made in person, by telephone or by any other convenient means. However, should any question arise whether a requested record is a closed record or is confidential as provided by law, this request shall be made in writing and forwarded to the Custodian of Records, Department of Mental Health, P.O. Box 687, Jefferson City, MO 65102. The custodian shall notify the individual or organization within three (3) business days from the date the request was received by the custodian whether access is granted or denied.

(3) Access to public records for a short duration of time during normal business hours will normally be provided without charge. The department may negotiate a space or rental fee with the requester to provide access to public records when the access will be for an extensive period of time or will otherwise be disruptive to the normal operations of the department. Copies of public records will be provided by the department for the following copy and search fees:

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|----------------------|-------------------|
| (A) Photocopies      | \$ .25 per copy;  |
| (B) Microfilm copies | \$ .50 per copy;  |
| (C) Clerical         |                   |
| research time        | \$11.50 per hour; |
| and                  |                   |
| (D) Professional     |                   |
| research time        | \$16.50 per hour. |

(4) Fees for duplicating other types of records and other formats including electronic data shall be based on the actual cost of search and duplication or as otherwise provided by law.

(5) In accordance with the Americans with Disabilities Act, no additional fees shall be assessed for transcribing public records into Braille, audiotape or other suitable form.

(6) As authorized by law, the department may furnish copies without charge or at reduced charges when it is determined to be in the public interest and is not primarily in the commercial interest of the requester. For official state administrative and business purposes, copies of records may be provided without charge to—

(A) State and federal agencies, appropriation committees and interagency committees;

(B) Courts, attorneys and guardians-at-litem in criminal and civil commitment, guardianship or juvenile proceedings;

(C) Providers of service to department clients if authorized by clients, parents or guardians;

(D) Agencies of other states in exchange for comparable reports; and

(E) Department employees, advisory councils, commissions, task forces and committees when required by their work.

*AUTHORITY: sections 610.010–610.030 and 630.050, RSMo 1994.\* Original rule filed June 17, 1986, effective Dec. 1, 1986. Amended: Filed July 17, 1995, effective Feb. 25, 1996.*

*\*Original authority: 610.010, RSMo 1973 amended 1977, 1978, 1982, 1987, 1993; 610.011, RSMo 1987; 610.015, RSMo 1973, amended 1973, 1987, 1993; 610.020, RSMo 1973, amended 1982, 1987, 1993; 610.021, RSMo 1987, amended 1993; 610.022, RSMo 1987, amended 1993; 610.023, RSMo 1987; 610.024, RSMo 1987; 610.026, RSMo 1987; 610.027, RSMo 1982, amended 1987, 1990; 610.028, RSMo 1982, amended 1987; 610.029, RSMo 1993; and 610.030, RSMo 1973, amended 1982.*

**9 CSR 25-3.040 Fiscal Management**

*PURPOSE: This rule sets guidelines for compensation to public administrators and applies to all department facilities designated as representative payee for client entitlements when the public administrator is guardian.*

(1) A facility shall debit a client's personal account and shall compensate a public administrator seventy-five dollars (\$75) annually, which may be paid in equal monthly installments, from the client's personal account when all of the following conditions have been met:

(A) The client has been served by the department for at least six (6) months;

(B) The department facility is representative payee for Social Security Administration (SSA), Supplemental Security Income (SSI), veterans' benefits; railroad retirement benefits; civil service annuities; federal, state or city retirement programs or any other retirement or benefit program;

(C) The public administrator has requested compensation and there are no other funds available to pay the requested compensation;

(D) The court has allowed the compensation;

(E) The payment for the compensation is not prohibited by the benefit program which will be used to pay the requested compensation; and

(F) If the expenditure would place the client in present or future jeopardy or adversely affect the services to the client, the facility with administrative control of the client account shall consult legal counsel as to whether a modification of the court order shall be sought.

(2) A public administrator whose expenses are in excess of seventy-five dollars (\$75) annually may submit documentation of expenditures to the representative payee facility for consideration. If the client's personal account is sufficient and the additional expenditures will not deplete the account or place the client in any present or future jeopardy, or in any way adversely affect services to the client, the facility staff may reimburse additional expenses from the personal account if the excess expenses are reasonable and justifiable in the judgment of the assistant superintendent of administration or assistant center director of administration and the client's total personal monies are at least three hundred seventy-five dollars (\$375) in the previous fiscal year.

(3) The public administrator request for compensation shall be directed to the responsible facility's assistant superintendent of administration or assistant center director of administration.

*AUTHORITY: section 630.050, RSMo 1986.\* Original rule filed Feb. 1, 1988, effective June 27, 1988.*

*\* Original authority 1980, amended 1993.*

**9 CSR 25-3.050 Payment to School Districts for Special Education Services for Children Admitted to Programs or Facilities of the Department of Mental Health**

(Rescinded May 30, 1999)

*AUTHORITY: sections 162.970 and 630.050, RSMo 1986. Original rule filed Nov. 6, 1991, effective April 9, 1992. Rescinded: Filed Nov. 30, 1998, effective May 30, 1999.*

expenditures for that year. These warrant payments shall only be made from funds appropriated for this purpose.

*AUTHORITY: sections 56.700 and 630.050, RSMo 1994.\* Original rule filed July 17, 1995, effective Feb. 25, 1996.*

*\*Original authority: 56.700, RSMo 1979, amended 1989 and 630.050, RSMo 1980, amended 1993.*

**9 CSR 25-3.060 Payments to Counties with State Mental Health Facilities**

*PURPOSE: This rule prescribes requirements for counties to receive payment from the department for personnel costs relating to mental health facilities.*

(1) The City of St. Louis and Buchanan, Callaway, Jackson and St. Francois counties may employ an assistant prosecuting attorney, county counselor or circuit attorney and other investigative and clerical personnel to provide services related to mental health and mental health facilities. The department shall pay these governmental units for these personnel costs from funds appropriated for this purpose.

(2) Each eligible governmental unit may employ an assistant prosecuting attorney, county counselor or circuit attorney who shall be compensated fifteen thousand dollars (\$15,000) annually. In addition, investigative and clerical personnel may be employed and the total compensation for these personnel shall not exceed fifteen thousand dollars (\$15,000) annually.

(3) Each eligible governmental unit shall submit a request for payment using the form prescribed by the department (MO 650-7975) or an invoice or other document which provides the information disclosed on this form. This request for payment shall be submitted after July 1 of each fiscal year.

(4) The request for payment shall disclose each personnel position, the name of the person employed and the actual salary costs for the preceding fiscal year and the positions and projected salary costs for the current fiscal year.

(5) Upon receipt of the request for payment, the department shall issue a warrant to pay the amount of the projected salary costs for the current fiscal year adjusted for the amount, if any, that the payment for the preceding fiscal year differed from the actual

