

This 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*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By 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 10-6.550 is amended.

This rule establishes season dates and limits for certain fish and is exempted by sections 536.021, RSMo 2016 from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-6.550 Other Fish by establishing season dates for taking fish from waters of the state.

3 CSR 10-6.550 Other Fish

(2) Methods and Seasons.

(D) Fish included in this rule may be taken by gig or atlatl from streams and impoundments between sunrise and midnight from September 15 through February 15, and from impounded waters between sunrise and sunset throughout the remainder of the year.

SUMMARY OF PUBLIC COMMENTS: Seasons and limits are exempted from the requirement of filing as a proposed amendment under section 536.021, RSMo 2016.

This amendment was filed August 26, 2019, becomes effective **September 15, 2019**.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 5—Historic Preservation Tax Credit Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department amends a rule as follows:

4 CSR 85-5.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1248-1249). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received four (4) comments on the proposed amendment.

COMMENT #1: One (1) commenter requested that the definition of "final completion" be changed to match a separate federal law standard.

RESPONSE: This definition was already in the rule, and the only changes proposed by this amendment are grammatical. This request is outside the purview of the amendment change and therefore cannot be addressed at this point.

COMMENT #2: One (1) commenter requested clarification related to incomplete applications, administrative closure, and resubmission of applications.

RESPONSE: The department believes that these new definitions provide sufficient guidance for applicants to understand its processes, and staff can provide further information or clarification as needed upon inquiry. No changes have been made to the rule as a result of this comment.

COMMENT #3: One (1) commenter requested that several definitions be changed to match federal guidance, and that the definition of "qualified rehabilitation expenditures" be expanded to include all improvements made to provide access to a building as described in the Americans With Disabilities Act.

RESPONSE: Although the state program is separate from the federal program, the department recognizes that historic preservation projects often participate in each program. The department believes that its rules adequately ensure that its processes will not conflict with analogous federal provisions, and therefore no changes have been made to the rule as a result of this comment. Staff will review on a case-by-case basis expenditures relating to Americans With Disabilities Act requirements. No changes have been made to the rule as a result of this comment.

COMMENT #4: At the hearing on the department's proposed regulations, the Joint Committee on Administrative Rules stated its belief that if the department wished to update its list of qualified rehabilitation expenditures in its guidelines as previously proposed in subsection (2)(T), it would need to undertake rulemaking each time it updated the list.

RESPONSE AND EXPLANATION OF CHANGE: The department deleted the language in the proposed regulation concerning publishing a binding list each year in its program guidelines.

4 CSR 85-5.010 Overview and Definitions

(2) As used in this chapter, the following terms mean:

(T) Qualified Rehabilitation Expenditures, or QREs. Those expenditures that are used as eligible basis on which to calculate the Missouri Historic Preservation Tax Credit. Such costs include, but shall not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, as determined by the department.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Business and Community Services

Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department amends a rule as follows:

4 CSR 85-5.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1249–1251). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received thirty-five (35) comments on the proposed amendment.

COMMENT #1: One (1) commenter requested clarification related to excess credit application scoring and priority.

RESPONSE: The department believes that, read in conjunction with other rules in this chapter, the rule provides sufficient guidance related to excess credit applications. No changes have been made to the rule as a result of this comment.

COMMENT #2: One (1) commenter stated that the treatment of incomplete applications for less than two hundred seventy-five thousand dollars (\$275,000) in credits was unclear based on the interaction of sections (1) and (2) in the proposed amendment.

RESPONSE AND EXPLANATION OF CHANGE: The department has moved the sentence from section (2) regarding incomplete applications to section (1) so that it will more clearly apply to all applications, including those requesting less than two hundred seventy-five thousand dollars (\$275,000) in credits.

COMMENT #3: One (1) commenter requested clarification in section (2) of the proposed amendment regarding the treatment of Tier 2- and Tier 3-scored applications in the event that the annual limit of authorized tax credits is not reached by approval of Tier 1-scored applications only.

RESPONSE: The department believes that, read in conjunction with other rules in this chapter, the rule provides sufficient guidance related to excess credit applications. No changes have been made to the rule as a result of this comment.

COMMENT #4: Several commenters requested that section (7) of the proposed amendment be changed so that the two (2) statutory dol-

lar limits on authorized tax credits be administered independently, rather than jointly.

RESPONSE: The department interprets section 253.550.2(2), RSMo as prioritizing qualified census tract projects by allowing them access to additional authorized tax credits beyond the general allowance; the suggested change would create less of an incentive to pursue such projects. Therefore, no changes have been made to the rule as a result of this comment.

COMMENT #5: One (1) commenter requested that the independent review process described in section (10) of the proposed amendment be made available to all projects, including those approved prior to Senate Bill 590 (2018).

RESPONSE: The rule permits any applicant to request an independent review process as established in section (10). No changes have been made to the rule as a result of this comment.

COMMENT #6: Several commenters generally requested that sections (8) and (9) of the proposed amendment be reverted or modified and stated that changing the allowed timing of expenses may cause increased project costs, uncertainty, and less timely repairs.

RESPONSE AND EXPLANATION OF CHANGE: The department is modifying sections (8) and (9) to prescribe a single measuring date for the consideration of project costs.

COMMENT #7: Several commenters requested that section (12) of the proposed amendment be omitted or changed so that seeking excess tax credits beyond the amount initially approved for an application will not be treated as a new application for tax credits and requested that this process not apply to projects that had already been approved.

RESPONSE: The department believes that the proposed process for excess tax credit applications is most clearly supported by the statutes. Section 253.559.10, RSMo requires that applicants submit a separate application for excess credits and that such applications are subject to the provisions regarding priority and approval. No changes have been made to the rule as a result of this comment.

COMMENT #8: One (1) commenter requested that the rules prescribe a process for requesting less than two hundred seventy-five thousand dollars (\$275,000) in tax credits for projects with qualified rehabilitation expenditures totaling more than \$1,100,000.

RESPONSE: This request is outside the purview of the amendment changes and therefore cannot be addressed at this point.

COMMENT #9: One (1) commenter expressed agreement with the inclusion of section (13) in the proposed amendment and suggested a longer time period than five (5) years.

RESPONSE: After implementation and evaluation of program administration, the department will review whether the time period needs to be altered. No changes have been made to the rule as a result of this comment.

COMMENT #10: One (1) commenter asked a question about documentation of assessed property values.

RESPONSE: This inquiry is outside the purview of the amendment changes and therefore cannot be addressed at this point.

4 CSR 85-5.020 Applications

(1) All applicants shall submit a preliminary application. The department will automatically reject all incomplete applications. Sections (2) through (7) of this rule shall not apply to projects to receive less than two hundred seventy-five thousand dollars (\$275,000) of tax credits.

(2) A preliminary application will be scored and considered by the department in accordance with section 253.559.3(1), RSMo. The

scoring criteria for preliminary applications shall be published annually on the department's website. Based on their scores, the department will place preliminary applications into one of three tiers: Tier 1, Tier 2, or Tier 3.

(8) An applicant's hard costs set forth in a preliminary application will be considered eligible for tax credits only if such costs are incurred on or after the date on which the department receives the preliminary application.

(9) An applicant's soft costs set forth in a preliminary application will be considered eligible for tax credits only if such costs are incurred within one (1) year prior to the date on which the department receives the preliminary application, or later.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 85—Division of Business and Community Services
Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department amends a rule as follows:

4 CSR 85-5.030 Preliminary Application Evaluation—Net Fiscal Benefit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1251–1252). 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 department received two (2) comments on the proposed amendment.

COMMENT: Two (2) commenters acknowledged that the proposed amendment effectuates a recent legislative enactment and requested access to the economic model the department will use to evaluate projects.

RESPONSE: The department intends for the near term to use its current economic modeling software for its net fiscal benefit analyses, which it has licensed from a third party and is proprietary to that party. Therefore, the department cannot make it public as part of this rulemaking or otherwise. No changes have been made to the rule as a result of this comment.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 85—Division of Business and Community Services
Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.040 Preliminary Application Evaluation—Overall Size and Quality of the Project is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1252). 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 department received seventeen (17) comments on the proposed rule.

COMMENT #1: Several commenters stated that the proposed rule could incentivize building projects that were not residential in purpose but very large in scale, and they suggested alternative scoring methods to incentivize smaller and residential projects.

RESPONSE: Senate Bill 590 (2018) modified section 253.559.3, RSMo to require the department to evaluate projects specifically on the "overall size . . . [and] number of new jobs to be created by" projects. The department must follow the statute. The scoring system offers additional opportunities in other categories, such as location in a distressed area, which benefit various types of projects. No changes have been made to the rule as a result of this comment.

COMMENT #2: Two (2) commenters asked questions about the use of spreadsheets, local incentives, and additional paperwork.

RESPONSE: This inquiry is outside the purview of the amendment changes and therefore cannot be addressed.

COMMENT #3: One (1) commenter suggested that the rule include new language to effect a preference for applicants who have earned Missouri income for several recent years, demonstrating a connection and commitment to the state.

RESPONSE: Such a provision would be unconstitutional, and therefore no changes have been made to the rule as a result of this comment.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 85—Division of Business and Community Services
Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.050 Preliminary Application Evaluation—Level of Economic Distress is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1252–1253). 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 department received one (1) comment on the proposed rule.

COMMENT: One (1) commenter stated that the proposed rule's consideration of economically disadvantaged census tract designations is undesirable because it may exclude small towns.

RESPONSE: Senate Bill 590 (2018) modified section 253.559.3, RSMo to require the department to evaluate projects specifically on the "level of economic distress" in a project area, and the bill modified section 253.550, RSMo to incentivize projects in qualified census

tracts. The department must follow the statute. Further, many qualified census tracts and opportunity zones throughout the state are located in rural and urban areas. No changes have been made to the rule as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 5—Historic Preservation Tax Credit Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.060 Preliminary Application Evaluation—Input from Local Elected Officials is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1253). 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 department received one (1) comment on the proposed rule.

COMMENT: One (1) commenter suggested that an inconsistency exists between favorably viewing committed local financial incentives as proof of local support in section (1) when those same local incentives might decrease the net fiscal benefit to the state and local municipality calculated pursuant to 4 CSR 85-5.030.

RESPONSE: Senate Bill 590 (2018) modified section 253.559.3, RSMo to require the department to consider the “amount of projected net fiscal benefit of the project to the state and local municipality” and “input from the local elected officials . . . as to the importance of the proposed project to the municipality” when evaluating projects. The department must follow the statute. In the department’s experience, a commitment of local incentives is one of the strongest indicators of local support for a development to occur. No changes have been made to the rule as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 5—Historic Preservation Tax Credit Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.070 Compliance with Other Provisions of Law is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1253). 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 department received six (6) comments on the proposed rule.

COMMENT #1: Several commenters requested deletion of the language in section (2) of the proposed rule requiring project costs to be paid or incurred in the name of the tax credit applicant in order to be considered as qualified rehabilitation expenditures.

RESPONSE: Allowing third-party payors of qualified rehabilitation expenditures in the past has created documentation and compliance issues for department staff who administer the program. The department spends increasing resources identifying and correcting errors and determining whether payment arrangements circumvent program requirements. The proposed section (2) will increase efficiency in program administration helping to ensure that program resources are expended more in alignment with its purposes. No changes have been made to the rule as a result of this comment.

COMMENT #2: Several commenters suggested alternative language or exceptions to the provisions of section (2) of the proposed rule to allow reimbursement arrangements.

RESPONSE: After implementation and evaluation of program administration, the department will review whether exceptions or alternative language may be appropriate. No changes have been made to the rule as a result of this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 5—Historic Preservation Tax Credit Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.080 Phased Projects is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1253-1254). 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 department received two (2) comments on the proposed rule.

COMMENT #1: Two (2) commenters requested that certain definitions, timelines, and processes in sections (2), (3), and (4) be modified to replicate similar provisions in federal law.

RESPONSE: Although the state program is separate from the federal program, the department recognizes that historic preservation projects often participate in each program. The department believes that these sections adequately ensure that its processes will not conflict with analogous federal provisions, and therefore no changes have been made to the rule as a result of this comment.

COMMENT #2: Two (2) commenters requested the deletion of section (5) of the proposed rule, requiring that each phase of a phased project meet statutory requirements on a standalone basis.

RESPONSE: The department must ensure that projects meet all statutory requirements before it has authority to issue any tax credits. No changes have been made to the rule as a result of this comment.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Business and Community Services

Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.090 Developer Fees; General Contractor Requirements **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1254). 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 department received one (1) comment on the proposed rule.

COMMENT: One (1) commenter requested a definition of “reasonable” as used in subsection (2)(A) and section (3) of the proposed rule and suggested that the related provisions may not be statutorily authorized.

RESPONSE: The department believes that “reasonable” as defined in the proposed rule is a sufficiently clear legal standard that it has authority to establish as a program requirement. No changes have been made to the rule as a result of this comment.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Business and Community Services

Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.100 Not-for-Profits **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1254-1255). 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 department received no comments on the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Business and Community Services

Chapter 5—Historic Preservation Tax Credit Program

ORDER OF RULEMAKING

By the authority vested in the Department of Economic Development

under section 135.487, RSMo 2016, and section 620.010, RSMo Supp. 2019, the department adopts a rule as follows:

4 CSR 85-5.110 Administrative Closure **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1255). 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 department received no comments on the proposed rule.

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

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2016, the commission amends a rule as follows:

10 CSR 10-6.030 Sampling Methods for Air Pollution Sources **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2019 (44 MoReg 1138). 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 Missouri Department of Natural Resources’ Air Pollution Control Program received no comments on the proposed amendment.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Safe Drinking Water Commission
Chapter 15—Lead and Copper**

ORDER OF RULEMAKING

By the authority vested in the Safe Drinking Water Commission under section 640.100, RSMo 2016, the commission amends a rule as follows:

10 CSR 60-15.020 Applicability of Corrosion Control Treatment Steps to Small, Medium-Size, and Large Water Systems **is amended.**

A notice of the proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2019 (44 MoReg 1138-1139). 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: A public hearing on this proposed amendment was held May 22, 2019, and the public comment period ended May 29, 2019. At the public hearing, the department’s public drinking water branch staff provided testimony on the proposed

amendment. No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 2—Income Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 143.191, RSMo 2016, the director amends a rule as follows:

12 CSR 10-2.015 Employers' Withholding of Tax is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1553-1557). 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 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 2—Income Maintenance**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, Family Support Division, under sections 207.022 and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 40-2.180 Confidentiality of Case Records is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1557). 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 15—ELECTED OFFICIALS
Division 50—Treasurer
Chapter 3—Unclaimed Property**

ORDER OF RULEMAKING

By the authority vested in the State Treasurer's Office under sections 447.543 and 447.572, RSMo 2016, the treasurer amends a rule as follows:

15 CSR 50-3.010 Unclaimed Property—General Considerations is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2019 (44 MoReg 1874). 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 15—ELECTED OFFICIALS
Division 50—Treasurer
Chapter 3—Unclaimed Property**

ORDER OF RULEMAKING

By the authority vested in the State Treasurer's Office under sections 447.543 and 447.572, RSMo 2016, the treasurer amends a rule as follows:

15 CSR 50-3.070 Reporting and Delivery of Property Presumed Abandoned is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2019 (44 MoReg 1874-1875). 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 15—ELECTED OFFICIALS
Division 50—Treasurer
Chapter 3—Unclaimed Property**

ORDER OF RULEMAKING

By the authority vested in the State Treasurer's Office under sections 447.543 and 447.572, RSMo 2016, the treasurer amends a rule as follows:

15 CSR 50-3.100 Sale Of Abandoned Property is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2019 (44 MoReg 1875). 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 20—Missouri Local Government Employees'
Retirement System (LAGERS)
Chapter 1—General Organization**

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees' Retirement System (LAGERS) under section 70.605.21, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-1.010 General Organization is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1682). 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 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees’ Retirement System (LAGERS) under section 70.605.21, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.040 Refunds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1682). 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 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees’ Retirement System (LAGERS) under sections 70.605.21 and 70.645, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.045 Application for Retirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1682-1683). 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 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees’ Retirement System (LAGERS) under section 70.605.21, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.056 Lump-Sum Cash Payout of Retirement Allowance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1683). 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 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees’ Retirement System (LAGERS) under sections 70.605.21 and 70.735, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.070 Collection of Delinquent Payments is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1683-1684). 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 20—Missouri Local Government Employees’
Retirement System (LAGERS)
Chapter 2—Administrative Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees’ Retirement System (LAGERS) under sections 70.605.21, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.105 Redetermination of Allowances During Deflation and Consumer Pricing Indices To Be Considered is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1684). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.001 Anesthesiologist Assistants in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44

MoReg 1277). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006, 197.154, and 338.165, RSMo 2016, and sections 197.080 and 197.293, RSMo Supp. 2019, the department amends a rule as follows:

19 CSR 30-20.011 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1277-1280). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received seven (7) comments on the proposed amendment.

COMMENT #1: The Missouri Hospital Association (MHA) commented that the definition of “Premises” in section (21) seemed very broad as compared to 197.052, RSMo. MHA also commented that it was unclear if a building owned by the hospital but leased to another entity would need to be included as a part of the premises and, if so, under what standards it would be surveyed. MHA thus proposed modifications based on its comments, including defining premises as those areas defined by the hospital as such, removing the requirement of meeting construction standards, and specifying that the buildings and areas listed as hospital premises would be surveyed to the function of the areas.

RESPONSE AND EXPLANATION OF CHANGE: The department does not agree that the definition for “Premises” in section (21) should be defined as what a hospital identifies as its premises, and the department did not believe that a statement that the premises would be surveyed according to their function should be included in the definition or was sufficiently specific. Nevertheless, the department believes that the lack of clarity discerned by MHA results from the inclusion of existing requirements for hospitals in the definition of “Premises,” such as the statutory definition of hospital and the construction requirements, which seems duplicative. Rather than restating these requirements to form a definition of premises, the department believes that such a definition is unnecessary. Therefore, the department will remove the definition of “Premises” and will renumber later sections as necessary.

COMMENT #2: The Missouri Board of Pharmacy in the Division of Professional Registration (BOP) commented that the definition of “Intern Pharmacist” in section (13) should be modified to include that the individual is currently licensed as an intern pharmacist under Chapter 338, RSMo. BOP expressed that this change would be consistent with the proposed definitions for “Pharmacist” in section (18) and “Pharmacy technician” in section (19).

RESPONSE AND EXPLANATION FOR THE CHANGE: The department agrees and will adopt this recommended change except for the addition of “currently,” which if added could suggest that the

individual must be licensed on the effective date of this rule.

COMMENT #3: The Missouri Pharmacy Association (MPA) commented that the department lacks the authority to define in the rule the terms “Compounding,” “Intern pharmacists,” and “Pharmacy technicians” for the same reasons that MPA commented the department does not have the authority to promulgate 19 CSR 30-20.100, which the department incorporates here. With respect to proposed 19 CSR 30-20.100, MPA commented, among other things, that the rule does not reasonably flow from any applicable statute, that the department does not have the statutory authority to promulgate regulations setting forth the qualifications or scope of practice of licensed pharmacists or registered pharmacy technicians—regardless of the fact that those persons work in hospital pharmacies—and that this function was limited to BOP, citing sections 338.010 and 338.013, RSMo. MPA indicated and that allowing the department to have authority to define the qualifications and scope of practice of pharmacy technicians working in hospital pharmacies would create inconsistencies in requirements and enforcement, as well as confusion amongst licensees or registrants regarding their scope of practice. Citing Chapter 197, RSMo, MPA notes that “[n]ot a single section governing hospitals mentions pharmacies, pharmacists, pharmacy technicians, or pharmaceutical services.” Citing Chapter 192, RSMo, MPA similarly notes that “none of the statutes discuss the regulation of pharmacies, pharmacists, pharmacy technicians, or pharmaceutical services.” MPA commented that these chapters do not permit the department to expand the scope of practice of a pharmacy technician within a hospital beyond what is permitted in a retail or other type of licensed pharmacy. And asserting that CMS’s State Operations Manual does not permit a “pharmacy technician to provide pharmaceutical services when a pharmacist is off-site,” MPA also maintains that nothing in federal Medicare and Medicaid regulations supports the rule and contends that the rule is inconsistent with 42 CFR 482.25, thereby violating section 197.080.2(2), RSMo.

Citing section 338.165.3, RSMo, MPA additionally commented that the rule was not promulgated in conjunction with BOP.

RESPONSE: For the reasons stated by the department in the Order of Rulemaking for 19 CSR 30-20.100 which the department incorporates here, the department does not agree with MPA’s assertions regarding the department’s authority over hospital pharmacies. Among other reasons set forth in the Order of Rulemaking for 19 CSR 30-20.100, the department notes with respect to the definitions of the terms “Compounding,” “Intern pharmacists,” and “Pharmacy technicians” that the department has the “sole authority [] and responsibility for inspection and licensure of hospitals in this state including, but not limited to, all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever.” § 197.100.1 RSMo (emphasis added). Pharmacies in hospitals, and pharmacy services and activities in hospitals provided by pharmacists and pharmacy technicians, contribute directly or indirectly to patient care of any kind. This authority and responsibility is reiterated in section 338.165.2 RSMo. And this authority and responsibility is notwithstanding “[a]ny provision of chapter 198 and chapter 338 to the contrary .” § 197.100.1, RSMo.

Regarding this responsibility for inspection and licensure of all parts and services of hospitals contributing to patient care, section 192.006, RSMo, permits the department to adopt rules “necessary to carry out the duties assigned to it.” Some of those duties are the duties to “adopt . . . promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare.” § 197.080.1, RSMo. The department does not find Chapter 192, RSMo’s, and Chapter 197, RSMo’s, failures to expressly mention pharmacies or other pharmacy-related terms (like compounding or pharmacy technician) significant given

the comprehensive breadth of authority granted the department over hospital licensure. As such, Chapters 192 and 197, RSMo, unequivocally grant the department the authority to promulgate rules thoroughly setting forth standards governing all services and activities in hospitals that touch on patient care, and the department believes that the definitions for the terms “Compounding,” “Intern pharmacists,” and “Pharmacy technicians” reasonably flow from the applicable statutes. The department finds that the rule does not contravene BOP’s authority or that the department is performing a function of BOP (positions which BOP itself did not take), even if the department is defining terms (for the hospital context) also defined by BOP for its contexts. And the department does not agree that the rule violates federal law or any of CMS’s guidance in the State Operations Manual.

To the extent that the department was required to promulgate these definitions “in conjunction with” BOP under section 338.165.3, RSMo, the department has done so. In developing definitions, the department specifically sought BOP’s input which BOP provided, and BOP has expressed no opposition to the department’s definitions other than the suggested change noted above, which the department (as noted) agrees with. Therefore, this statutory requirement has been met, and the definitions will not be removed.

COMMENT #4: Morgan Simpson commented that the definition for “Licensed practitioner” in section (14) be modified by adding “by Missouri statutes” after “qualified” and “or services” after “profession.”

RESPONSE: The department believes that the proposals may have some merit but also may have unintended negative effects and thus does not adopt them. Adding “by Missouri statutes” as proposed could introduce an ambiguity to the definition that would be considered limiting. Adding “services” as proposed could include individuals who must be licensed to perform a service in a health care setting but do not actually practice health care. Therefore, the department appreciates the comments but does not adopt them.

COMMENT #5: Staff from the department commented that—if section (2) of proposed 19 CSR 30-20.100 is not promulgated—the definitions for “Electronic Supervision” in section (9) and “Real-Time” in section (22) should be removed because they do not define terms used in any other section of a rule being promulgated.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that the rule should be changed as proposed and will renumber sections as necessary after removing these definitions, starting with the definition of “Hospital” as being section (9) in the promulgated rule.

COMMENT #6: Staff from the department commented that the rule should include a definition of “immediate and serious threat to the patients’ health and safety” to meet the requirements of section 197.293, RSMo, and that this definition should reflect, to the extent practicable, the definition of “immediate jeopardy” used in the context of the Medicare survey, certification, and enforcement procedures for consistency.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that the rule should be changed as proposed and will renumber sections as a result of adding this definition.

COMMENT #7: Staff from the department commented that 338.165, RSMo, should be added to the statutory authority for the rule.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees that the Authority section should be changed as proposed.

19 CSR 30-20.011 Definitions Relating to Hospitals

(9) Hospital—

(A) A facility that provides inpatient care for medical or surgical

patients, or both, and may include pediatric, obstetrical and newborn, psychiatric, or rehabilitation patients; and

(B) A facility that is devoted primarily for the diagnosis, treatment, or care for not less than twenty-four (24) consecutive hours in any week of three (3) or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions, or devoted primarily to provide for not less than twenty-four (24) consecutive hours in any week medical or nursing care for three (3) or more nonrelated individuals and includes;

(C) Building(s)—

1. Constructed to hospital standards as outlined in 19 CSR 30-20.030; and

2. Identified on the hospital’s license application as part of the facility; and

(D) The term “hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in Chapter 198, RSMo.

(10) Immediate and serious threat—A situation in which a hospital’s non-compliance with one (1) or more requirements established under the Hospital Licensing Law or section 197.005, RSMo has caused, or is likely to cause, serious injury, harm, impairment, or death to a resident or patient. Unless the language or context clearly indicates otherwise, this definition is intended to have the same meaning, to the extent practicable, as the definition of immediate jeopardy in 42 CFR section 488.1 (2018). The *Code of Federal Regulations* is published by the U.S. Government and is available by calling toll-free (866) 512-1800 or going to <https://bookstore.gpo.gov/>. The address is: U.S. Government Publishing Office, U.S. Superintendent of Documents, Washington, DC 20402-0001. This rule does not incorporate later amendments or additions to 42 CFR section 488.1 (2018).

(21) Registered professional nurse—An individual who is licensed under Chapter 335, RSMo, to practice as a registered professional nurse in the State of Missouri.

(22) Repackage—To remove any drug from the original manufacturer’s container and place the drug in a dispensing container for other than immediate dispensing to a patient.

(23) Resident—A person who by reason of aging, illness, disease, or physical or mental infirmity requires care and services furnished by a long-term care unit and who resides within the unit for care and treatment.

(24) Respiratory Care Practitioner—An individual who is licensed under Chapter 334, RSMo, to practice respiratory care in the State of Missouri.

(25) Root cause analysis—A process for identifying the basic or causal factor(s) that underlie variation in performance, including the occurrence or possible occurrence of a sentinel event.

(26) Unit—A functional division or facility of the hospital.

(27) Unlicensed Assistive Personnel (UAP)—unlicensed health care personnel who provide direct patient care twenty-five percent (25%) or more of the time, under the delegation and supervision of a registered professional nurse. Individuals who provide a specific job function such as, but not limited to, phlebotomist, radiology technician, or patient transporter are not included in this definition.

AUTHORITY: sections 192.006, 197.154, and 338.165, RSMo 2016, and sections 197.080 and 197.293, RSMo Supp. 2019. This rule was previously filed as 13 CSR 50-20.011. Original rule filed June 2, 1982, effective Nov. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed March 20, 2019.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006, 197.065, and 197.297, RSMo 2016, and section 197.080, RSMo Supp. 2019, the department amends a rule as follows:

19 CSR 30-20.015 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1280-1288). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received three (3) comments on the proposed amendment, one (1) proposing a change to the text of the proposed amendment and two (2) proposing changes to the text of the application for licensure.

COMMENT #1: The Missouri Hospital Association (MHA) provided a comment applicable to the Application for licensure, specifically the section entitled Co-location status be revised to read: “Is there another provider or department licensed entity, or a satellite location or another provider or department licensed entity that occupies space in a building identified by the hospital as being a part of the licensed premises?” MHA believes this was necessary because of draft guidance on co-location issued by the Centers for Medicare and Medicaid Services.

RESPONSE AND EXPLANATION OF CHANGE: The department has updated the text of the license application on page 2 under Co-location Status, but the department does not agree with all of the revision suggestions within this comment. The words “same campus as buildings used by the hospitals” will be replaced with “hospital’s licensed premises.” The department believes that co-location for the application should not be determined solely by a hospital’s identification of a building as being part of a licensed premises.

COMMENT #2: MHA also commented that (4) should specifically reference an initial application and should end with the statement that the criteria in section (4) is for initial application for a single hospital licensure and that the annual renewal for a single licensed hospitals will follow the annual licensure process. In addition, MHA commented that (5) should reference the annual renewal license and application.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the recommended clarification for (4). The department did not agree with the recommendation for (5). The first sentence of this section refers to the license issued by the department, not the renewal application. Also, the addition of “renewal” with respect to the annual application did not seem necessary.

COMMENT #3: Staff from the department provided a comment recommending the correction of a typographical error on page 2 of the application, so that the word “building” would be “buildings.”

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the recommendation. Therefore the application will be updated to reflect the recommendation.

19 CSR 30-20.015 Administration of the Hospital Licensing Program

(4) An operator of two (2) or more licensed hospitals may submit an

initial application to the Department of Health and Senior Services to operate the hospitals as a single licensed hospital. The two (2) or more licensed hospitals may be separated by a distance which can be traveled in no more than one (1) hour by customary ground transportation in normal weather conditions. The operator shall designate a permanent hospital base from which the one- (1-) hour travel distance is determined. If the application is approved, the hospitals may be named on the licensure application and a single license issued. Before the Department of Health and Senior Services approves the application, the applicant shall submit an operational proposal to the director of the Department of Health and Senior Services for approval. At a minimum the proposal shall include:

(A) Approval from the Certificate of Need program if a Certificate of Need is required under sections 197.300–197.367, RSMo;

(B) Assurance that the applicant presented the initial proposal at a public hearing within the community where the currently licensed hospital(s) is located. The proposal shall provide evidence that the entire community was adequately notified at least two (2) weeks in advance, of the public hearings. The written record of the hearings, including the community response to the proposal, shall be submitted to the Department of Health and Senior Services as a part of the applicant’s proposal. The Department of Health and Senior Services shall be given two (2) weeks advance notice of the public hearings. The Department of Health and Senior Services may consider the information presented as part of the determination process; and

(C) Assurance that the initial applicant is in compliance with Chapter 197, RSMo, and the regulations promulgated thereunder. The above criteria is for initial application for single hospital licensure. The annual renewal for the single licensed hospitals will follow the annual licensure process.

OTHER						
<p>Construction/Renovation</p> <ol style="list-style-type: none"> 1. New hospitals - attach Certificate of Need approvals if applicable. 2. Renovations or construction projects during this licensure period should be submitted in accordance with 19 CSR 30-20.030. 3. Provide a copy of all DHSS current, approved variances. <ol style="list-style-type: none"> a. If new variance(s) is requested, please submit in accordance with 19 CSR 30-20.015. 						
<p>Premises</p> <p>For all locations that will be identified as premises, as defined by 19 CSR 30-20.011, please provide a map or drawing of the premises to illustrate the location of each building. Attach a listing of all buildings with each listed by name, address and type of patient service offered.</p>						
<p>Co-location status</p> <p>Is there another provider or licensed entity, or a satellite location of another provider or licensed entity, that occupies space in a building used by the hospital, or in one or more entire buildings located on the hospital's licensed premises?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If answer is yes, then list the name and Medicare identification (i.e. 26xxxx) number of the co-located provider or licensed entity.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 65%; padding: 2px;">NAME OF CO-LOCATION PROVIDER, LICENSED ENTITY OR SATELLITE LOCATION</td> <td style="width: 35%; padding: 2px;">MEDICARE IDENTIFICATION NUMBER</td> </tr> <tr> <td style="height: 30px;"></td> <td></td> </tr> </table>			NAME OF CO-LOCATION PROVIDER, LICENSED ENTITY OR SATELLITE LOCATION	MEDICARE IDENTIFICATION NUMBER		
NAME OF CO-LOCATION PROVIDER, LICENSED ENTITY OR SATELLITE LOCATION	MEDICARE IDENTIFICATION NUMBER					
CERTIFICATION						
<p>We the undersigned hereby certify that we have read the foregoing application and that the statements contained therein are true and correct to the best of our knowledge, and further assure the ability and intention of the _____ to comply with Missouri statutes and regulations pertaining to hospital licensure.</p> <p style="text-align: right; margin-right: 100px;">(NAME OF ENTITY)</p>						
CHAIR OF THE GOVERNING BODY SIGNATURE	PRINT NAME	DATE				
CHIEF EXECUTIVE OFFICER SIGNATURE	PRINT NAME	DATE				

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.030 Construction Standards for New Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1288). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 197.065, RSMo 2016, and sections 197.080 and 197.100, RSMo Supp. 2019, the department adopts a rule as follows:

19 CSR 30-20.030 Construction Standards for New Hospitals is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1288–1289). 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 department received one (1) comment on the proposed rule to change the text of the proposed rule.

COMMENT #1: The International Association of Healthcare Central Services Materiel Management (IAHCSMM) made a comment applicable to the Construction Standards for New Hospitals. Specifically, the comment applies subsection (4)(A), asserting that it is outdated and suggesting that the department change the text in accordance with ANSI/ST79:2017 which states:

“Steam sterilization cycles typically used in the healthcare facilities include the gravity-displacement cycle and two types of dynamic-air-removal cycles. One type of dynamic-air-removal cycle, the prevacuum cycle, removes air from the chamber and load by means of pressure and vacuum excursions. The other type, the steam-flush pressure-pulse (SFPP) cycle, removes air with a series of steam flushes and pressure pulses above atmospheric pressure.”

RESPONSE: The department does not agree with the suggested change. The rule would require pressure sterilization, of which there are different types. Steam sterilization is only one (1) type of pressure sterilization. Under the rule as drafted, facilities may use any type of pressure sterilization they desire. If the department were to require steam sterilization only as suggested in the comment, this

would limit hospitals’ discretion under the rule. For any specific sterilization processes that do not meet the minimum standard provided in the rule, the department will use the variance process outlined in 19 CSR 30-20.015 to consider requests to deviate from those requirements.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.040 Definitions Relating to Long-Term Care Units in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1289). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 197.297, RSMo 2016, and section 197.080, RSMo Supp. 2019, the department amends a rule as follows:

19 CSR 30-20.050 Standards for the Operation of Long-Term Care Units is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1289–1292). 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 department received no comments on the proposed amendment.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019,

the department rescinds a rule as follows:

19 CSR 30-20.060 Construction Standards for New Long-Term Care Units in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1293). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.080 Governing Body of Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1293). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.082 Chief Executive Officer in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1293). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.084 Patients' Rights in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1293). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.086 Medical Staff in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1294). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.088 Central Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1294). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.090 Food and Nutrition Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1294). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 197.154, RSMo 2016, and section 197.080, RSMo Supp. 2019, the department amends a rule as follows:

19 CSR 30-20.092 Diversion is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1294–1296). 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 department received no comments on the proposed amendment.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.094 Medical Records is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1296). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.096 Nursing Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1296–1297). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.097 Safe Patient Handling and Movement in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1297). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.098 Pathology and Medical Laboratory Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1297). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under sections 192.006 and 197.154, RSMo 2016, and section 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.100 Pharmacy Services and Medication Management in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1297). 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 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 338.165, RSMo 2016, and section 197.080, RSMo Supp. 2019, the department adopts a rule as follows:

19 CSR 30-20.100 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1297–1299). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received twelve (12) comments on the proposed rule.

COMMENT #1: The Missouri Hospital Advisory Committee of the Missouri Board of Pharmacy in the Division of Professional Registration commented that it strongly supports the rule. The Hospital Advisory Committee commented that the rule would align Missouri rules with the standards of the Centers for Medicare and Medicaid Services (CMS). The Hospital Advisory Committee also commented that the rule would permit a pharmacy technician in a hospital to verify the final product prepared by another pharmacy technician (sometimes referred to as “tech-check-tech” and used hereafter), which would allow pharmacists more time to provide higher-level care, is supported by studies from many hospitals, and is supported by the American Society for Health-System Pharmacists. The Hospital Advisory Committee additionally commented that the rule would remove provisions resulting in discarding of medications when a patient goes home (provisions which have the effect increasing patient costs), and would permit remote verification of pharmacy technicians.

RESPONSE: The department agrees that the rule would expressly permit tech-check-tech and remote supervision and with the Hospital Advisory Committee’s other comments. The department notes that the purpose of the Hospital Advisory Committee is to “review and make recommendations to the board [of pharmacy] on the merit of all rules and regulations to be jointly promulgated by the board and the department of health and senior services pursuant to the joint rulemaking authority granted by [section 338.165, RSMo],” § 338.165.11 RSMo, which include this rule.

COMMENT #2: The Missouri Board of Pharmacy in the Division of Professional Registration (BOP) commented that proposed section (2) should not be promulgated. Section (2) is the section that express-

ly permits tech-check-tech and remote supervision of pharmacy technicians by a pharmacist and which the Hospital Advisory Committee of BOP (discussed above) strongly supports. BOP commented that BOP members expressed concerns with bifurcating technician regulation based on practice setting and the potential impact on pharmacy practice statewide. Noting that pharmacy technicians may fluctuate through a variety of practice sites during their careers, BOP commented that differing regulation based on practice setting may cause confusion for technicians and could endanger patient safety. Specifically with respect to tech-check-tech, BOP commented that, absent a strong and well-developed approach, patient safety may be placed at risk if tech-check-tech were allowed, and BOP suggested that the department conduct additional research and stakeholder dialogue regarding tech-check-tech before promulgating a rule expressly permitting it.

RESPONSE: The department appreciates BOP’s comments but respectfully disagrees with them. The department does not believe that section (2) would cause confusion or risk patient safety, notwithstanding that different rules may apply in different settings. The department also believes that tech-check-tech has been adequately researched, and this research demonstrates its safety. The department’s stakeholder dialogue, moreover, has reflected substantial support for the rule. Therefore, the changes suggested by BOP will not be implemented for the reasons provided by BOP.

COMMENT #3: The Missouri Pharmacy Association (MPA) commented that the department does not have the authority to propose regulations on the subject matter of pharmacy technicians, and, even if this were a subject matter over which the Department had authority, there is no statutory support for the policies set forth in the rule. Citing the non-passage of S.B. 1068, 99th Gen. Assembly, 2d sess. (2018) and the case of *Bresler v. Tietjen*, 424 S.W.2d 65, 70 (Mo. 1968), MPA commented that “[u]nsuccessful attempts to obtain passage of legislation on the same subject as a proposed rule creates serious doubt regarding the agency’s authority, especially when the subject of the proposed rule does not reasonably follow from the statute granting rulemaking authority, as is the case here,” and that the rule “is nothing more than an attempt to adopt by regulation a policy that the Missouri General Assembly did not itself pass.”

MPA also commented that the rule includes various provisions regarding the qualifications and scope of practice of pharmacy technicians working in a hospital pharmacy—which MPA asserts are not contained in the version of the rule presently in effect—and that the (proposed) rule does not reasonably flow from any applicable statute. MPA also asserts that the department does not have the statutory authority to promulgate regulations setting forth the qualifications or scope of practice of licensed pharmacists or registered pharmacy technicians—regardless of the fact that those persons work in hospital pharmacies—and that this function was limited to BOP, citing sections 338.010 and 338.013, RSMo. MPA indicated and that allowing the department to have authority to define the qualifications and scope of practice of pharmacy technicians working in hospital pharmacies would create inconsistencies in requirements and enforcement, as well as confusion amongst licensees or registrants regarding their scope of practice. Citing Chapter 197, RSMo, MPA notes that “[n]ot a single section governing hospitals . . . mentions pharmacies, pharmacists, pharmacy technicians, or pharmaceutical services.” Citing Chapter 192, RSMo, MPA similarly notes that “none of the statutes . . . discuss the regulation of pharmacies, pharmacists, pharmacy technicians, or pharmaceutical services.” MPA commented that these chapters do not permit the department to expand the scope of practice of a pharmacy technician within a hospital beyond what is permitted in a retail or other type of licensed pharmacy. And asserting that CMS’s State Operations Manual does not permit a “pharmacy technician to provide pharmaceutical services when a pharmacist is off-site,” MPA also maintains that nothing in federal Medicare and Medicaid regulations supports the rule and contends that the rule is inconsistent with 42 CFR 482.25, thereby violating section

197.080.2(2), RSMo.

Citing section 338.165.3, RSMo, MPA additionally commented that the rule was not promulgated in conjunction with BOP.

RESPONSE AND EXPLANATION OF CHANGE: Despite citing sections 338.010 and 338.013, RSMo, the department notes that MPA does not expressly assert that the rule actually violates the authority in section 338.013.1 RSMo for pharmacy technicians to “assist a pharmacist in the practice of pharmacy” as defined in section 338.010.1, RSMo. In fact, MPA cites no BOP law prohibiting the activities and services that the rule would expressly allow. And, as stated in response to BOP’s comment, the department does not believe that any inconsistencies between pharmacy technicians’ permitted duties in a hospital pharmacy and duties in a retail pharmacy would cause confusion.

The department does not agree that the non-passage of S.B. 1068, 99th Gen. Assembly, 2d sess. (2018) creates any doubt as to the department’s authority to promulgate the rule. To the contrary, the fact that the bill was not enacted supports the opposite conclusion—that a new statute was determined to be unnecessary because the department would be validly promulgating the rule (which was in development with stakeholder involvement at that time) under the authority of existing statutes. *Bresler* does not apply nor require a different conclusion.

To the extent that MPA asserts that the rule presently in effect does not include language governing the duties of pharmacy technicians, the department does not agree. The present rule prohibits the “assign[ment] [to support pharmacy personnel of] duties that by law must be performed by a pharmacist.” 19 CSR 30-20.100(2). The department also does not agree that no statute supports the (proposed) rule or that the express permission it would grant for tech-check-tech and remote supervision (or the other activities and services it governs) in a hospital must come from BOP and not the department. The department has the “sole authority[] and responsibility for inspection and licensure of hospitals in this state including, but not limited to, all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever.” § 197.100.1 RSMo (emphasis added). Pharmacies in hospitals, and pharmacy services and activities in hospitals provided by pharmacy technicians, contribute directly or indirectly to patient care of any kind. This authority and responsibility is reiterated in section 338.165.2 RSMo. And this authority and responsibility is notwithstanding “[a]ny provision of chapter 198 and chapter 338 to the contrary” § 197.100.1, RSMo.

Regarding this responsibility for inspection and licensure of all parts and services of hospitals contributing to patient care, section 192.006, RSMo, permits the department to adopt rules “necessary to carry out the duties assigned to it.” Some of those duties are the duties to “adopt . . . promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare.” § 197.080.1, RSMo. The department does not find Chapter 192, RSMo’s, and Chapter 197, RSMo’s, failures to expressly mention pharmacies or other pharmacy-related terms (like pharmacy technician) significant given the comprehensive breadth of authority granted the department over hospital licensure.

As such, Chapters 192 and 197, RSMo, unequivocally grant the department the authority to promulgate rules thoroughly setting forth standards governing all services and activities in hospitals that touch on patient care, and the department believes that the rule reasonably flows from the applicable statutes. The department finds that the rule does not contravene BOP’s authority or that the department is performing a function of BOP (positions which BOP itself did not take). And the department does not agree that the rule violates federal law, specifically 42 C.F.R. § 482.25, or any of CMS’s guidance in the State Operations Manual. That manual contemplates that pharmaceutical services involving dispensing drugs will be conducted by *or*

under the supervision of a pharmacist, and hospitals are given considerable discretion there in determining measures to ensure a pharmacist’s effective oversight and supervision of pharmaceutical services in a hospital.

Although the department believes that the activities, services, and requirements expressly permitted by section (2) of the rule (tech-check-tech and remote supervision) would promote the safe and adequate treatment of individuals in hospitals, are well-supported by published research, and would enhance hospital efficiencies, the department notes that BOP disagreed that this section of the rule should be promulgated (as noted above). Therefore, if the department were to promulgate the rule with section (2), it would not be “in conjunction with” BOP as required by section 338.165.3, RSMo. Nevertheless, BOP did not express disagreement with any other section of the rule, and in fact the department repeatedly sought and received BOP’s comments on the rule during its development. Therefore, the department believes that—if the rule were promulgated without section (2)—it would be promulgated “in conjunction with” BOP as required by section 338.165.3, RSMo. The department will thus remove section (2) and will promulgate the rule with the sections renumbered reflecting section (2)’s removal.

COMMENT #4: The Missouri Hospital Association (MHA) commented that it strongly supports the rule. MHA commented that regulatory burden was reduced by the absence of duplicative or contradictory federal or state standards, that the hospital environment is (unlike other pharmacy environments) designed to have multiple checks regarding medications before administration, that pharmacy technicians are an important part of the process of medication management, that appropriate education and training for pharmacy technicians were supported, that pharmacists would be able to utilize their education and training to offer effective solutions for medication management and assist in the management of complex patients, and that permitting the dispensing of hospital medications to the discharging patient would reduce patient burden and support positive outcomes.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA’s comment.

COMMENT #5: Saint Luke’s Health System commented that it strongly supports the rule. Saint Luke’s Health System provided the same reasons in support of the rule as MHA.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA’s comment.

COMMENT #6: Lake Regional Health System commented that it strongly supports the rule. Lake Regional Health System provided the same reasons in support of the rule as MHA.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA’s comment.

COMMENT #7: Mercy commented that it strongly supports the rule. Mercy provided the same reasons in support of the rule as MHA.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA’s comment.

COMMENT #8: BJC HealthCare commented that it strongly supports the rule. In addition to reasons provided by MHA and other commenters, BJC HealthCare commented that its fifteen-member hospitals provide a variety of pharmacy services to patients and communities, they were excited the department was proposing to take important steps toward finding workable solutions that allow for expanded pharmacy technician roles, and that, once approved, the rule would be an important positive step for hospital pharmacy practice in Missouri.

BJC HealthCare also commented that allowing appropriately trained pharmacy technicians in licensed hospitals to check the work of other technicians would be in alignment with many other states across the country and that existing evidence supported technicians in this role, performing as accurately as pharmacists related to final product verification. BJC HealthCare commented that the rule could positively impact overall health care costs by allowing technicians to perform some of the activities currently relegated to pharmacists. With respect to the dispensing of medications to discharging patients, BJC HealthCare commented that this would positively result in decreased pharmaceutical waste, assist with continuity of care while the patient would be transitioning to home, and decrease overall expenses for both the patient and the health care system.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA's comment.

COMMENT #9: Stephanie Lumley-Hemme, RPh, MBA commented that she strongly supports the rule. She provided the same reasons as BJC HealthCare above.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA's comment.

COMMENT #10: Ryan Birk, PharmD commented that he strongly supports the rule. In addition to reasons provided by MHA and other commenters, Dr. Birk cited studies supporting tech-check-tech and that the practice is supported by the American Society for Health-System Pharmacists. Dr. Birk also commented favorably on the provisions regarding dispensing of medications to discharging patients and commented that the rule would permit remote verification of pharmacy technician's work.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA's comment.

COMMENT #11: Nancy Konieczny, RPh commented that she strongly supports the rule. She provided the same reasons as Dr. Birk above.

RESPONSE: The department agrees with these comments, except that section (2) must be removed for the reasons provided in response to MPA's comment.

COMMENT #12: Staff from the department commented that 338.165, RSMo, should be added to the statutory authority for the rule.

RESPONSE: The department agrees that the Authority section should be changed as proposed.

19 CSR 30-20.100 Pharmacy Services and Medication Management

(2) An intern pharmacist licensed by the Board of Pharmacy may also perform any activity authorized for pharmacy technicians pursuant to this rule.

(3) Persons involved in compounding, repackaging, dispensing, administration, and controlled substance disposal shall be identified and the records shall be retrievable. Retention time for records of bulk compounding, repackaging, administration, and all controlled substance transactions shall be a minimum of two (2) years. Retention time for records of dispensing and extemporaneous compounding, including sterile medications, shall be a minimum of six (6) months.

(4) All variances, discrepancies, inconsistencies, or non-compliance involving controlled substances—including inventory, audits, security, record keeping, administration, and disposal—shall be reported to

the director of pharmacy services for review and investigation.

(5) Patient medications may be received from an authorized provider. The medications shall—

(A) Be delivered directly to the pharmacy and not to a patient care area unless the pharmacist is not available;

(B) When a pharmacist is present, be identified, determined suitable for use and documented by the pharmacist. When a pharmacist is not present, be identified and documented by an authorized practitioner. Unused doses of medication shall be identified by the pharmacist when the pharmacist is present; and

(C) The pharmacy may compound, repackage, or re-label medications received from an outside provider, including prescriptions dispensed by a pharmacy, as necessary for proper distribution and administration. Records of compounding, repackaging, or relabeling of prescriptions dispensed by a pharmacy shall allow identification of the original prescription.

(6) Sample medications, if allowed, shall be received and distributed only by the pharmacy.

(7) Medications may be provided to patients for use outside the hospital, by persons other than the pharmacist.

(A) When the patient is a registered patient of the emergency department or is being discharged from the hospital—

1. Medications shall be provided according to the hospital's policies and procedures, including:

- A. Circumstances when medications may be provided;
- B. Practitioners authorized to order;
- C. Specific medications;
- D. Limited quantities;
- E. Prepackaging and labeling by the pharmacist;
- F. Final labeling to facilitate correct administration;
- G. Delivery;
- H. Counseling; and
- I. A transaction record.

2. Medications shall be labeled with the date, patient's name, prescriber's name, name and address of the hospital, exact medication name and strength, instructions for use, and other pertinent information;

3. Medications may be provided only when prescription services from a pharmacy are not reasonably available. Reasonably available includes a pharmacist on duty in the hospital or a community pharmacy that is reasonably accessible to the patient;

4. The medication provided shall be limited to urgently needed treatment;

5. The quantity of medication provided shall be limited to the amount necessary until pharmacy services are available;

6. The provisions of paragraph (A)3. and paragraph (A)5. of this subsection shall not apply when the patient is being treated for an acute condition and it is believed that the immediate health and welfare of the patient and/or the community are in jeopardy. The quantity limit may be extended to provide single-course therapy; and

7. Final labeling, delivery and counseling shall be performed by a pharmacist, the prescriber or a registered nurse, except that final labeling and delivery may be performed by an automated dispensing system.

(B) Automated dispensing systems may be used in accordance with all requirements of this section—

1. When the automated dispensing system is controlled by the prescriber it may be used only during times when no pharmacy services are reasonably available, except as allowed in paragraph (A)6 of this section; and

2. When the automated dispensing system is controlled by a pharmacy according to regulations of the Missouri Board of Pharmacy, including, but not limited to 20 CSR 2220-2.900.

(C) Medications in multidose containers that were administered to or used for the patient during the patient's hospital stay may be sent

with the patient at discharge when so ordered by an authorized practitioner.

1. Examples of multidose medication containers include, but are not limited to, inhalers, ointments, creams, medications requiring the original container for dispensing, insulin pens, eye drops, ear drops, and infusions that are currently connected to the patient's infusion device.

2. Written instructions for use shall be provided by a pharmacist, prescriber, or registered nurse at the time of discharge.

3. Controlled substances shall not be sent with the patient, except that controlled substance infusions or continuous delivery systems currently connected to the patient may be sent as follows:

A. The medication is necessary for administration during transport of the patient; and

B. The quantity of controlled substance sent is documented in the patient's medical record by the person sending the medication.

(8) The director of pharmacy services or his/her pharmacist designee shall be an active member of the pharmacy and therapeutics committee or its equivalent, which shall advise the medical staff on all medication matters.

(9) Medications shall be ordered only by practitioners who have independent statutory authority to prescribe or who are authorized to order medications by their professional licensing agency as provided by state law. Authority to order medications may be granted to a non-physician licensed practitioner in accordance with state law

(10) Medications in the possession of the patient at time of admission shall be given to the patient's representative unless there is an identified need to retain them.

(A) Medications that are not given to the patient's representative and that are not to be administered shall be documented, sealed, and stored in a locked area accessible only to individuals authorized to access medications.

(B) Controlled substances shall be security sealed and stored in a locked area accessible only to individuals authorized to administer controlled substances or to authorized pharmacy personnel.

AUTHORITY: sections 192.006 and 338.165, RSMo 2016, and section 197.080, RSMo Supp. 2019. This rule previously filed as 19 CSR 30-20.021(3)(G). Original rule filed June 27, 2007, effective Feb. 29, 2008. Rescinded and readopted: Filed March 20, 2019.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.102 Radiology Services in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1299). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.104 Social Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1299). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.106 Inpatient Care Units in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1299). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.108 Fire Safety, General Safety and Operating Features is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1300). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.110 Orientation and Continuing Education is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1300). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.112 Quality Assessment and Performance Improvement Program is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1300). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.116 Infection Prevention and Control is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1300-1301). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.118 Outpatient Services in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1301). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.120 Anesthesia Services in Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1301). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.124 Medical Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1301). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.126 Obstetrical and Newborn Services in Hospitals **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1301-1302). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.128 Pediatric Services in Hospitals **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1302). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.130 Post-Anesthesia Recovery Services in Hospitals **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg

1302). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.132 Psychiatric Services in Hospitals **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1302). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.134 Rehabilitation Services in Hospitals **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1302-1303). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.136 Respiratory Care Services **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1303). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.138 Specialized Inpatient Care Services
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1303). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.140 Surgical Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1303). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 20—Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-20.142 Variance Requests is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1303–1304). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 24—Psychiatric Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-24.010 General Design and Construction Standards for Psychiatric Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1304). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 24—Psychiatric Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-24.020 Administration Standards for Psychiatric Hospitals is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1304). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

**Division 30—Division of Regulation and Licensure
Chapter 24—Psychiatric Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior

Services under sections 197.005 and 197.080, RSMo Supp. 2019, the department rescinds a rule as follows:

19 CSR 30-24.030 Preparation of Plans and Specifications for Psychiatric Hospitals **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2019 (44 MoReg 1304). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received no comments on the proposed rescission.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE
Division 100—Insurer Conduct
Chapter 1—Improper or Unfair Claims Settlement Practices

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 100-1.030 Failure to Acknowledge Pertinent Communication **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1684-1685). 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 COMMERCE AND INSURANCE
Division 100—Insurer Conduct
Chapter 4—General

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 100-4.100 Response to Inquiries by the Consumer Affairs Division **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1685). 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 COMMERCE AND INSURANCE
Division 100—Insurer Conduct
Chapter 8—Market Conduct Examination

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of

Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 100-8.016 Examination Procedures **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1685-1686). 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 public comment period ended July 18, 2019 and a public hearing on the proposed amendment was held July 18, 2019. Timely written comments were received from the Missouri Insurance Coalition. At the hearing, no comments were received.

COMMENT: Brandon Koch, on behalf of Missouri Insurance Coalition, commented that the current regulation states that market conduct surveillance personnel shall prepare a work plan and proposed budget and provide that information to the insurer prior to the commencement of an on-site market conduct examination. The rule further provides that market conduct examinations shall, to the extent feasible, utilize desk examinations and data requests prior to commencing on-site examination activity. The proposed amendment to this rule would appear to delete these requirements by repealing the first two subsections of the rule (sections (1) and (2)). The proposed amendment also adds a new provision (section (3)) which allows an insurer to request a review of the examination costs or data requests if significantly increased from the original work plan. The request is to be reviewed by the market conduct regulation division director or chief examiner who will be required to provide a response within twenty (20) days. The proposed changes to 20 CSR 100-8.016 are somewhat confusing. On one hand – the regulation appears to be removing the requirements to provide a work plan or budget and to use desk-examinations and data calls. On the other hand – the regulation is providing a remedy for an insurer to request a review of examination costs and the amount of data requested. While the deleted language contained in sections (1) and (2) may be contained elsewhere (perhaps the requirements are set forth in the NAIC Market Regulation Handbook or implied as a requirement in 20 CSR 100-8.015), we would prefer that sections (1) and (2) remain in the current regulation.

RESPONSE: In late 2017, Director Chlora Lindley-Myers convened a working group including department staff and ten members of the insurance industry to review Division 100, Chapters 7 and 8 in their entirety to address many concerns the industry had raised regarding the market conduct process. Through several meetings, all of the rules contained in Chapters 7 and 8 were discussed at great length and representatives from both the department and the insurance industry collaborated closely to arrive at the proposed rules filed with the secretary of state's office. The comment indicates the members of the Missouri Insurance Coalition are questioning some of the revised provisions regarding the examination budget. In the conversations of the working group, the members expressed concern over the lack of transparency into the factors underlying the examination. To address these issues, the department streamlined the overall timeline to front load additional information to be delivered contemporaneously with the warrant. The comment disregards the provision contained in 20 CSR 100-8.015, which will be in effect on July 30, 2019, that requires the notice of examination to include a "budget and work plan for the examination." This notice of examination will be provided contemporaneously with the examination warrant. The provisions noted by the commenter regarding the obligation of the Chief Examiner and Division Director to provide updated budget information upon request is an additional requirement upon the department. It does not replace or supercede any current requirements. No

changes have been made to the rule in response to this comment.

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

**Division 100—Insurer Conduct
Chapter 8—Market Conduct Examination**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 100-8.040 Insurer Record Retention is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1686-1688). 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 public comment period ended July 18, 2019 and a public hearing on the proposed amendment was held July 18, 2019. Timely written comments were received from the Missouri Insurance Coalition. At the hearing, no comments were received.

COMMENT: Brandon Koch, on behalf of Missouri Insurance Coalition, provided the following member comments. Section (2) of this rule is amended to provide that “Nothing in this regulation requires an insurer to create records that never existed; however, the division may request the creation of such records if it believes doing so will reduce examination costs.” One (1) of our members noted that an insurer should never be required to create records even though their creation may reduce examination costs. Another member noted concerns with 20 CSR 100-8.040(3)(D). The proposed rule provides that if an insurer maintains a file in a computer format that the insurer must provide the examiners an identifier key at the time of the examination. Our member stated that they do not have an identifier key. The member seeks further clarification with respect to when a key is required. The member’s preference would be only to provide a key in response to a market conduct examination as opposed to proactively creating an identifier key. Another member noted concerns with 20 CSR 100-8.040(4)(B). The member stated that maintaining “records that have been finalized” in a way that “precludes any alteration” will be challenging. The member further noted that it is questionable whether this can be done with their current computer programs or existing data warehouses if the insurer elected to call that formal record. Additionally, the inclusion of “permanent” should be clarified to explain how it relates to the three- (3-) year claim/complaint retention specifications. The member also expressed concerns with being able to transfer the data to an archive system without alteration.

RESPONSE: In late 2017, Director Chlora Lindley-Myers convened a working group including department staff and ten members of the insurance industry to review Division 100, Chapters 7 and 8 in their entirety to address many concerns the industry had raised regarding the market conduct process. Through several meetings, all of the rules contained in Chapters 7 and 8 were discussed at great length and representatives from both the department and the insurance industry collaborated closely to arrive at the proposed rules filed with the secretary of state’s office. The first comment is with regard to the option for an insurer to “create” records to reduce examination costs. The department has heard numerous concerns from insurance companies about the costs of examination. In many instances, this is driven by a lack of cohesive records. This provision is intended to give

the insurer the option to create an electronic file of a compilation of data that will reduce the examiner resources needed to conduct the examination. This provision is not a requirement; it is at the insurers’ sole option to utilize. As to the issue of the identifier key, the rule does not substantively change the current process. An insurer is required to create an identifier key; but the time frame or date is not specified. The only obligation is that an identifier key is provided upon request of an examiner. The rule gives the insurer the option of when creating such a key best meets their needs and reflects their processes. One (1) additional clarification is that this identifier key is generally a policy number or claim number. The last comment pertains to the issue of record retention of archival documents. The current rule already requires records to be maintained in an archival manner. The department merely added clarification regarding this existing requirement at the request of the industry working group. From our review, it appears this question is a company-specific issue best handled through a conversation between the department and the individual company as this is not changing the current requirement. No changes have been made to the rule in response to this comment.

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

**Division 200—Insurance Solvency and Company
Regulation
Chapter 17—Admissions**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

**20 CSR 200-17.100 Procedure for Forming a Missouri Domestic
Insurance Company is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1688-1689). 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 COMMERCE AND
INSURANCE**

**Division 200—Insurance Solvency and Company
Regulation
Chapter 17—Admissions**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 200-17.300 Procedure for Redomestication is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1689-1690). 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 COMMERCE AND INSURANCE
Division 200—Insurance Solvency and Company Regulation
Chapter 20—Captive Insurance Companies

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 200-20.040 Financial Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1690-1692). 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 COMMERCE AND INSURANCE
Division 400—Life, Annuities and Health
Chapter 3—Medicare Supplement Insurance

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under sections 374.045, 376.864, 376.869, and 376.886, RSMo 2016, the director amends a rule as follows:

20 CSR 400-3.650 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1692-1723). Those sections with changes are 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 July 18, 2019 and the public comment period ended July 17, 2019. No comments were made at the public hearing, but two (2) comments were received by the Department of Commerce and Insurance during the comment period:

COMMENT #1: Michael F. Mann, of United Healthcare Medicare Solutions made a technical comment, noting that the “Notice” provision, found on page 1712 of the *Missouri Register*, should be preceded by three asterisks, rather than two, in accordance with the NAIC model.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with Mr. Mann’s technical comment, and has added a third asterisk (“*”) in front of the word “NOTICE” at the bottom of the chart “PLAN G or HIGH DEDUCTIBLE PLAN G MEDICARE (PART A) – HOSPITAL SERVICES – PER BENEFIT PERIOD,” just below the row on the chart which references “Hospice Care.”

COMMENT #2: Michael F. Mann, of United Healthcare Medicare

Solutions made a second comment, noting that the column headings for the chart, found on page 1715 of the *Missouri Register*, were incorrect in that they failed to recognize the requirement of a deductible.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with Mr. Mann’s technical comment and has revised the column headings in the two columns on the right side of the chart titled “OTHER BENEFITS – NOT COVERED BY MEDICARE,” which is the last chart in the group of charts labeled “PLAN G or HIGH DEDUCTIBLE PLAN G.” The column originally titled “PLAN PAYS” now reads: “[AFTER YOU PAY \$[2300] DEDUCTIBLE, **] PLAN PAYS”, and the column originally titled “YOU PAY” now reads: “[IN ADDITION TO \$[2300] DEDUCTIBLE, **] YOU PAY.” These technical changes are consistent with the NAIC model.

20 CSR 400-3.650 Medicare Supplement Insurance Minimum Standards Act

(18) Required Disclosure Provisions.

(D) Outline of Coverage Requirements for Medicare Supplement Policies.

1. Issuers shall provide an outline of coverage to all applicants at the time application is presented to the prospective applicant and, except for direct response policies, shall obtain an acknowledgement of receipt of the outline from the applicant.

2. If an outline of coverage is provided at the time of application and the Medicare supplement policy or certificate is issued on a basis which would require revision of the outline, a substitute outline of coverage properly describing the policy or certificate shall accompany the policy or certificate when it is delivered and contain the following statement, in no less than twelve- (12-) point type, immediately above the company name:

“NOTICE: Read this outline of coverage carefully. It is not identical to the outline of coverage provided upon application and the coverage originally applied for has not been issued.”

3. The outline of coverage provided to applicants pursuant to this section consists of four (4) parts: a cover page, premium information, disclosure pages, and charts displaying the features of each benefit plan offered by the issuer. The outline of coverage shall be in the language and format prescribed below in no less than twelve- (12-) point type. All plans shall be shown on the cover page, and the plans that are offered by the issuer shall be prominently identified. Premium information for plans that are offered shall be shown on the cover page or immediately following the cover page and shall be prominently displayed. The premium and mode shall be stated for all plans that are offered to the prospective applicant. All possible premiums for the prospective applicant shall be illustrated.

4. The following items shall be included in the outline of coverage in the order prescribed below.

Benefit Chart of Medicare Supplement Plans Sold on or after January 1, 2020

This chart shows the benefits included in each of the standard Medicare supplement plans. Some plans may not be available. Only applicants first eligible for Medicare before 2020 may purchase Plans C, F, and high deductible F.

Note: a ✓ means 100% of the benefit is paid.

Benefits	Plans available to All Applicants								Medicare first eligible before 2020 only	
	A	B	D	G ¹	K	L	M	N	C	F
Medicare Part A coinsurance and hospital coverage (up to an additional 365 days after Medicare benefits are used up)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Medicare Part B coinsurance or Copayment	✓	✓	✓	✓	50%	75%	✓	✓	✓	✓
Blood (first three pints)	✓	✓	✓	✓	50%	75%	✓	✓	✓	✓
Part A hospice care coinsurance or copayment	✓	✓	✓	✓	50%	75%	✓	✓	✓	✓
Skilled nursing facility coinsurance			✓	✓	50%	75%	✓	✓	✓	✓
Medicare Part A deductible		✓	✓	✓	50%	75%	50%	✓	✓	✓
Medicare Part B deductible									✓	✓
Medicare Part B excess charges				✓						✓
Foreign travel emergency (up to plan limits)			✓	✓			✓	✓	✓	✓
Out-of-pocket limit in [2019] ²						[\$5,560] ²	[\$2,780] ²			

¹ Plans F and G also have a high deductible option which require first paying a plan deductible of [\$2300] before the plan begins to pay. Once the plan deductible is met, the plan pays 100% of covered services for the rest of the calendar year. High deductible plan G does not cover the Medicare Part B deductible. However, high deductible plans F and G count your payment of the Medicare Part B deductible toward meeting the plan deductible.

² Plans K and L pay 100% of covered services for the rest of the calendar year once you meet the out-of-pocket yearly limit.

³ Plan N pays 100% of the Part B coinsurance, except for a co-payment of up to \$20 for some office visits and up to a \$50 co-payment for emergency room visits that do not result in an inpatient admission.

PLAN F or HIGH DEDUCTIBLE PLAN F

MEDICARE (PART A) – HOSPITAL SERVICES – PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

[**This high deductible plan pays the same benefits as Plan F after you have paid a calendar year [S2300] deductible. Benefits from the high deductible plan F will not begin until out-of-pocket expenses are [S2000]. Out-of-pocket expenses for this deductible are expenses that would ordinarily be paid by the policy. This includes the Medicare deductibles for Part A and Part B, but does not include the plan’s separate foreign travel emergency deductible.]

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE,**] PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE,**] YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing, and miscellaneous services and supplies First 60 days 61st thru 90 th day 91st day and after: —While using 60 lifetime reserve days Once lifetime reserve days are used: —Additional 365 days ---Beyond the additional 365 days	All but S[1364] All but S[341] a day All but S[682] a day S0 S0	S[1364] (Part A deductible) S[341] a day S[682] a day 100% of Medicare-eligible expenses S0	S0 S0 S0**** All costs

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE,** ↓ PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE,**] YOU PAY
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital First 20 days 21st thru 100th day 101st day and after	All approved amounts All but \$[170.50] a day \$0	\$0 Up to \$[170.50] a day \$0	\$0 \$0 All costs
BLOOD First 3 pints Additional amounts	\$0 100%	3 pints \$0	\$0 \$0
HOSPICE CARE You must meet Medicare's requirements, including a doctor's certification of terminal illness.	All but very limited copayment/coinsurance for outpatient drugs and inpatient respite care	Medicare copayment/coinsurance	\$0

*** **NOTICE:** When your Medicare Part A hospital benefits are exhausted, the insurer stands in the place of Medicare and will pay whatever amount Medicare would have paid for up to an additional 365 days as provided in the policy's "Core Benefits." During this time the hospital is prohibited from billing you for the balance based on any difference between its billed charges and the amount Medicare would have paid.

PLAN F or HIGH DEDUCTIBLE PLAN F

MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed S[185] of Medicare-approved amounts for covered services (which are noted with an asterisk), your Part B deductible will have been met for the calendar year.

[**This high deductible plan pays the same benefits as Plan F after one has paid a calendar year [S2300] deductible. Benefits from the high deductible plan F will not begin until out-of-pocket expenses are [S2300]. Out-of-pocket expenses for this deductible are expenses that would ordinarily be paid by the policy. This includes the Medicare deductibles for Part A and Part B, but does not include the plan's separate foreign travel emergency deductible.]

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE,**] PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE,**] YOU PAY
<p>MEDICAL EXPENSES— IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, Such as physician's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment,</p> <p>First S[185] of Medicare-approved amounts*</p> <p>Remainder of Medicare-approved amounts</p>	<p>\$0</p> <p>Generally 80%</p>	<p>S[185] (Part B deductible)</p> <p>Generally 20%</p>	<p>\$0</p> <p>\$0</p>

Part B excess charges (Above Medicare-approved amounts)	\$0	100%	\$0
BLOOD First 3 pints	\$0	All costs	\$0
Next \$[185] of Medicare-approved amounts*	\$0	\$[185] (Part B deductible)	\$0
Remainder of Medicare-approved amounts	80%	20%	\$0
CLINICAL LABORATORY SERVICES—TESTS FOR DIAGNOSTIC SERVICES	100%	\$0	\$0

PLAN F or HIGH DEDUCTIBLE PLAN F

PARTS A & B

SERVICES	MEDICARE PAYS	AFTER YOU PAY \$[2300] DEDUCTIBLE,** PLAN PAYS	IN ADDITION TO \$[2300] DEDUCTIBLE,** YOU PAY
HOME HEALTH CARE MEDICARE-APPROVED SERVICES			
Medically necessary skilled care services and medical supplies —Durable medical equipment	100%	\$0	\$0
First \$[185] of Medicare-approved amounts*	\$0	\$[185] (Part B deductible)	\$0
Remainder of Medicare-approved amounts	80%	20%	\$0

OTHER BENEFITS - NOT COVERED BY MEDICARE

SERVICES	MEDICARE PAYS	AFTER YOU PAY \$[2300] DEDUCTIBLE,** PLAN PAYS	IN ADDITION TO \$[2300] DEDUCTIBLE,** YOU PAY
<p>FOREIGN TRAVEL— NOT COVERED BY MEDICARE Medically necessary emergency care services beginning during the first 60 days of each trip outside the USA First \$250 each calendar year</p> <p>Remainder of charges</p>	<p>\$0</p> <p>\$0</p>	<p>\$0</p> <p>80% to a lifetime maximum benefit of \$50,000</p>	<p>\$250</p> <p>20% and amounts over the \$50,000 lifetime maximum</p>

PLAN G or HIGH DEDUCTIBLE PLAN G

MEDICARE (PART A)—HOSPITAL SERVICES—PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

[** This high deductible plan pays the same benefits as Plan G after you have paid a calendar year [\$2300] deductible. Benefits from the high deductible plan G will not begin until out-of-pocket expenses are [\$2300]. Out-of-pocket expenses for this deductible include expenses for the Medicare Part B deductible, and expenses that would ordinarily be paid by the policy. This does not include the plan's separate foreign travel emergency deductible.]

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE, **] PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE, **] YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing, and miscellaneous services and supplies			
First 60 days	All but \$[1364]	\$[1364] (Part A deductible)	\$0
61st thru 90th day	All but \$[341] a day	\$[341] a day	\$0
91st day and after: —While using 60 lifetime reserve days	All but \$[682] a day	\$[682] a day	\$0
—Once lifetime reserve days are used:			
—Additional 365 days	\$0	100% of Medicare-eligible expenses	\$0**
—Beyond the additional 365 days	\$0	\$0	All costs

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE, **] PLAN PAYS	{IN ADDITION TO \$[2300] DEDUCTIBLE, **} YOU PAY
<p>SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital</p> <p>First 20 days</p> <p>21st thru 100th day</p> <p>101st day and after</p>	<p>All approved amounts</p> <p>All but \$[170.50] a day</p> <p>\$0</p>	<p>\$0</p> <p>Up to \$[170.50] a day</p> <p>\$0</p>	<p>\$0</p> <p>\$0</p> <p>All costs</p>
<p>BLOOD</p> <p>First 3 pints</p> <p>Additional amounts</p>	<p>\$0</p> <p>100%</p>	<p>3 pints</p> <p>\$0</p>	<p>\$0</p> <p>\$0</p>
<p>HOSPICE CARE You must meet Medicare's requirements, including a doctor's certification of terminal illness</p>	<p>All but very limited copayment/coinsurance for out-patient drugs and inpatient respite care</p>	<p>Medicare copayment/coinsurance</p>	<p>\$0</p>

*** **NOTICE:** When your Medicare Part A hospital benefits are exhausted, the insurer stands in the place of Medicare and will pay whatever amount Medicare would have paid for up to an additional 365 days as provided in the policy's "Core Benefits." During this time the hospital is prohibited from billing you for the balance based on any difference between its billed charges and the amount Medicare would have paid.

PLAN G or HIGH DEDUCTIBLE PLAN G

MEDICARE (PART B)—MEDICAL SERVICES—PER CALENDAR YEAR

* Once you have been billed \$[185] of Medicare-approved amounts for covered services (which are noted with an asterisk), your Part B deductible will have been met for the calendar year.

[**This high deductible plan pays the same benefits as Plan G after you have paid a calendar year \$[2300] deductible. Benefits from the high deductible plan G will not begin until out-of-pocket expenses are \$[2300]. Out-of-pocket expenses for this deductible include expenses for the Medicare Part B deductible, and expenses that would ordinarily be paid by the policy. This does not include the plan's separate foreign travel emergency deductible.]

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE,**] PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE,**] YOU PAY
<p>MEDICAL EXPENSES—IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as physician's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment</p> <p>First \$[185] of Medicare-approved amounts*</p> <p>Remainder of Medicare-approved amounts</p>	<p>\$0</p> <p>Generally 80%</p>	<p>\$0</p> <p>Generally 20%</p>	<p>\$[185] (Unless Part B deductible has been met)</p> <p>\$0</p>
<p>Part B Excess Charges (Above Medicare-approved amounts)</p>	<p>\$0</p>	<p>100%</p>	<p>\$0</p>

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE,**] PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE,**] YOU PAY
BLOOD			
First 3 pints	\$0	All costs	\$0
Next \$[185] of Medicare-approved amounts*	\$0	\$0	\$[185] (Unless Part B deductible has been met)
Remainder of Medicare-approved amounts	80%	20%	\$0
CLINICAL LABORATORY SERVICES—TESTS FOR DIAGNOSTIC SERVICES	100%	\$0	\$0

PLAN G or HIGH DEDUCTIBLE PLAN G

PARTS A & B

SERVICES	MEDICARE PAYS	[AFTER YOU PAY \$[2300] DEDUCTIBLE,**] PLAN PAYS	[IN ADDITION TO \$[2300] DEDUCTIBLE,**] YOU PAY
HOME HEALTH CARE			
MEDICARE-APPROVED SERVICES			
Medically necessary skilled care services and medical supplies	100%	\$0	\$0
– Durable medical equipment			
First \$[185] of Medicare-approved amounts*	\$0	\$0	\$[185] (Unless Part B deductible has been met)
Remainder of Medicare-approved amounts	80%	20%	\$0

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 400—Life, Annuities and Health
Chapter 14—External Arbitration**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 375.045, RSMo 2016, and section 376.690, RSMo Supp. 2019, the director adopts a rule as follows:

20 CSR 400-14.100 External Arbitration is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1724). 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: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 600—Statistical Reporting
Chapter 1—Reports Other Than Annual Statement and
Credit Insurance**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 600-1.010 Medicare Supplement Data Reporting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1724-1725). 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 COMMERCE AND
INSURANCE
Division 600—Statistical Reporting
Chapter 3—Reporting Data on Residential and Auto
Insurances**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 600-3.100 Format to be Used in Reporting Data on Residential Insurance Coverages and Private Passenger Automobile Insurance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1725). No changes have been made in the text of the pro-

posed 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 COMMERCE AND
INSURANCE
Division 700—Insurance Licensing
Chapter 1—Insurance Producers**

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Commerce and Insurance under section 374.045, RSMo 2016, the director amends a rule as follows:

20 CSR 700-1.170 Licensing Procedures and Standards for Limited Lines Self-Service Storage Insurance Producers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1725-1726). 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 COMMERCE AND
INSURANCE
Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 4—Applications**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects under section 327.041, RSMo 2016, the board amends a rule as follows:

20 CSR 2030-4.090 Evaluation—Comity Applications—Professional Landscape Architects is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1558). 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 COMMERCE AND
INSURANCE
Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects,

Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects under section 327.041, RSMo 2016, the board amends a rule as follows:

20 CSR 2030-5.105 Reexaminations—Professional Engineers
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1558). 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 COMMERCE AND INSURANCE
Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects
Chapter 5—Examinations

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects under section 327.041, RSMo 2016, the board amends a rule as follows:

20 CSR 2030-5.150 Standards for Admission to Examination—
Professional Landscape Architects is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1559). 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 COMMERCE AND INSURANCE
Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects
Chapter 10—Corporations

ORDER OF RULEMAKING

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects under section 327.041, RSMo 2016, the board amends a rule as follows:

20 CSR 2030-10.010 Application for Certificate of Authority
is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1559-1560). 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 COMMERCE AND INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.210 and 338.280, RSMo 2016, the board amends a rule as follows:

20 CSR 2220-2.016 Pharmacy Operating Procedures During
Declared Disasters is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1726-1727). 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 COMMERCE AND INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.050 Public Complaint Handling and Disposition
Procedure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1727). 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 COMMERCE AND INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.060 Gold Certificates is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1728). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.100 and 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.080 Electronic Prescription Records is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1728). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Pharmacy under section 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.120 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1388-1389). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

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

COMMENT #1: The Missouri Pharmacy Association (MPA) submitted a comment suggesting that proposed subsection (1)(D) could be misconstrued to require compliance with the law of all fifty (50) states when a prescription is transferred. MPA suggested amending subsection (1)(D) to clarify that compliance is required with “the laws of the states involved with the transfer” as opposed to the laws of all states.

RESPONSE AND EXPLANATION OF CHANGE: The board agrees with the comment and has amended subsection (1)(D) to clarify its intent to only require compliance with applicable state and federal controlled substance laws.

COMMENT #2: MPA submitted a comment asking the board to clarify whose identity is required to be documented under paragraphs (2)(A)2. and (2)(B)8. MPA expressed support for allowing technicians to document their own names when transferring a prescription/medication order for a non-controlled substance, if approved by the pharmacist-in-charge.

RESPONSE: The intent of the identified sections was to require documentation of the identity of the person actually engaged in transferring or receiving a non-controlled prescription/medication order. The current language best reflects this intent. As a result, no changes have been made in response to the comment. However, the board understands the concerns raised and will provide additional guidance and education on the rule’s requirements once the rule becomes effective.

20 CSR 2220-2.120 Transfer of Prescription or Medication Order Information

(1) A valid new or refill prescription or medication order may be transferred to another pharmacy if—

(D) If the transfer involves a controlled substance, all information must be transferred directly between two (2) licensed pharmacists and comply with all applicable state and federal controlled substance laws and regulations; and

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.150 Mandatory Reporting Rule is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1729). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.100 and 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.300 Record Confidentiality and Disclosure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1730). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.280 and 338.350, RSMo 2016, the board amends a rule as follows:

20 CSR 2220-2.500 Nuclear Pharmacy—Minimum Standards for Operation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1560-1564). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.220 and 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.600 Standards of Operation for a Class F: Renal Dialysis Pharmacy is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1730-1731). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-2.800 Vacuum Tube Drug Delivery System is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1732). 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 COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 3—Negative Generic Drug Formulary**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Pharmacy under section 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-3.011 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2019 (44 MoReg 1389). Those sections with changes are 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 rule.

COMMENT #1: The Missouri Pharmacy Association (“MPA”) submitted a comment recommending that the board reference recently enacted amendments to section 338.056, RSMo, governing generic substitutions in the rule. MPA suggested the added language would provide needed clarification in a central location.

RESPONSE AND EXPLANATION OF CHANGE: The board agrees with the comment and has added a new section (1) as suggested and renumbered subsequent sections.

20 CSR 2220-3.011 Generic Drug Substitution

(1) Except as otherwise provided by Chapter 338, RSMo, a pharmacist who receives a prescription for a brand name drug or biological product may select a less expensive generically equivalent or interchangeable biological product unless the patient requests a brand named drug or biological product or the prescribing practitioner indicates that substitution is prohibited or displays “brand medically necessary”, “dispense as written”, “do not substitute”, “DAW”, or words of similar import on the prescription.

(2) All pharmacists and dispensing physicians should be warned that any drug product not holding an approved New Drug Application or Abbreviated New Drug Application may not be used as a substitute in the state of Missouri without the dispenser assuming some personal liability.

(3) A pharmacist shall not substitute drug products that are rated as therapeutically inequivalent to other pharmaceutically equivalent products as listed in the latest edition or cumulative supplement of *The Approved Drug Products with Therapeutic Equivalence Evaluations* published by the United States Government, Department of Health and Human Services.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 6—Pharmaceutical Care Standards**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2019, the

board rescinds a rule as follows:

20 CSR 2220-6.030 Provision of Drug and/or Medical Information
is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1732). 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 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under section 338.140, RSMo Supp. 2019, the board amends a rule as follows:

20 CSR 2220-7.080 Pharmacist License Renewal and Continuing
Pharmacy Education is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1732-1734). 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 COMMERCE AND
INSURANCE
Division 2230—State Board of Podiatric Medicine
Chapter 1—Organization and Description of Board**

ORDER OF RULEMAKING

By the authority vested in the State Board of Podiatric Medicine under section 330.140, RSMo 2016, the board amends a rule as follows:

20 CSR 2230-1.010 General Organization is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 17, 2019 (44 MoReg 1735). 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 COMMERCE AND
INSURANCE
Division 2233—State Committee of Marital and Family
Therapists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Marital and Family

Therapists under section 337.727, RSMo Supp. 2018, the committee amends a rule as follows:

20 CSR 2233-1.040 Fees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 3, 2019 (44 MoReg 1565-1567). 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.

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 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 CON applications listed below. A decision is tentatively scheduled for October 22, 2019. These applications are available for public inspection at the address shown below.

Date Filed

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

9/10/2019

#5722 NT: Lutheran Convalescent Home
Webster Groves (St. Louis County)
\$0, Purchase 24 SNF beds

#5723 NT: Lenoir Health Care Center (Placed on Nov. 4, 2019
Full CON Meeting agenda)
Columbia (Boone County)
\$0, Purchase 24 SNF beds

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by October 12, 2019. 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
PO Box 570
Jefferson City, MO 65102
For additional information contact Alison Dorge at
alison.dorge@health.mo.gov.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2015—Acupuncturist Advisory
Committee**

NON-SUBSTANTIVE CHANGE REQUEST

The Acupuncturist Advisory Committee requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2015.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

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

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects**

NON-SUBSTANTIVE CHANGE REQUEST

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2030.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

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

Division 2040—Office of Athletics

NON-SUBSTANTIVE CHANGE REQUEST

The Office of Athletics requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2040.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

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

Division 2045—Athlete Agents

NON-SUBSTANTIVE CHANGE REQUEST

The Office of Athlete Agents requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2045.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2065—Endowed Care Cemeteries****NON-SUBSTANTIVE CHANGE REQUEST**

The Office of Endowed Care Cemeteries requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2065.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2095—Committee for Professional Counselors****NON-SUBSTANTIVE CHANGE REQUEST**

The Committee for Professional Counselors requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2095.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2115—State Committee of Dietitians****NON-SUBSTANTIVE CHANGE REQUEST**

The State Committee of Dietitians requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2115.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2117—Office of Statewide Electrical Contractors****NON-SUBSTANTIVE CHANGE REQUEST**

The Office of Statewide Electrical Contractors requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of

section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2117.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2200—State Board of Nursing****NON-SUBSTANTIVE CHANGE REQUEST**

The State Board of Nursing requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2200.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2234—Board of Private Investigator and Private Fire Investigator Examiners****NON-SUBSTANTIVE CHANGE REQUEST**

The Board of Private Investigator and Private Fire Investigator Examiners requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2234.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE**Division 2255—Missouri Board for Respiratory Care****NON-SUBSTANTIVE CHANGE REQUEST**

The Missouri Board for Respiratory Care requests that the secretary of state make a non-substantive change to the following division and subsequent chapters in accordance with the provisions of section 536.032, RSMo. Pursuant to Executive Order 19-02 the department name was changed from the Department of Insurance, Financial Institutions and Professional Registration to the Department of Commerce and Insurance. The title should be changed to Department of Commerce and Insurance for all chapters falling under Division 2255.

This change will appear in the October 31, 2019 update to the *Code of State Regulations*.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, 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 adrules.dissolutions@sos.mo.gov.

NOTICE OF DISSOLUTION TO ALL CREDITORS AND CLAIMANTS AGAINST HAMPTON FEED LOT, INCORPORATED

On August 16, 2019, Hampton Feed Lot, Incorporated filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on July 28, 2019.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against Hampton Feed Lot, Incorporated, you must submit a summary in writing of the circumstances surrounding your claim to the said Hampton Feed Lot, Incorporated at the following address:

Hampton Feed Lot, Incorporated, C/O Robert Cowherd, Attorney at Law, P.O. Box 228,
Chillicothe, MO 64601. Telephone: 660-646-0627.

The summary of your claim 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.
4. A brief description of the nature of the debt or the basis for the claim.

All claims against Hampton Feed Lot, Incorporated will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

NOTICE OF WINDING UP AND DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST nanoMetallix, LLC

On August 5, 2019, nanoMetallix, LLC, a Missouri limited liability company (the "LLC") filed its Notice of Winding Up with the Missouri Secretary of State. The LLC requests that all persons and organizations who have claims against it present them immediately by written letter to nanoMetallix, LLC, c/o Universal Registered Agents, Inc., 300 B East High Street, Jefferson City, MO 65101. All claims must include the name, address, telephone number and email address of the claimant, the amount claimed, the basis for and a description of the claim, copies of any supporting documentation and comply with the terms of this Notice.

A claim against nanoMetallix, LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice, unless barred earlier pursuant to applicable law.

**NOTICE OF DISSOLUTION TO ALL CREDITORS
AND CLAIMANTS AGAINST STEVE R. CARLSON, D.D.S.,
A PROFESSIONAL CORPORATION**

On August 5, 2019, Steve R. Carlson, D.D.S., a Professional Corporation, filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on August 5, 2019.

You are hereby notified that if you believe you have a claim against Steve R. Carlson, D.D.S., a Professional Corporation, you must submit a summary in writing of the circumstances surrounding your claim to the corporation c/o Larry G. Schulz, of Sexton, Bender, Hill & Steinman, P.C., 2900 Brooktree Lane, Suite 100, Gladstone, Missouri 64119. The summary of your claim must include the following information:

1. The name, address and telephone number of the claimant.
2. The date of the event on which the claim is based.
3. A brief description of the nature of the debt and amount of the claim.

All claims against Steve R. Carlson, D.D.S, a Professional Corporation, will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of this publication.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
HAMPTON ALTERNATIVE ENERGY PRODUCTS, LLC**

On August 16, 2019, Hampton Alternative Energy Products, LLC filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The Notice was effective on August 16, 2019.

YOU ARE HEREBY NOTIFIED that if you believe you have a claim against Hampton Alternative Energy Products, LLC, you must submit a summary in writing of the circumstances surrounding your claim to the said Hampton Alternative Energy Products, LLC at the following address:

Hampton Alternative Energy Products, LLC, C/O Robert Cowherd, Attorney at Law,
P.O. Box 228, Chillicothe, MO 64601. Telephone number (660) 646-0627.

The summary of your claim 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 for 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 Hampton Alternative Energy Products, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

**NOTICE OF DISSOLUTION AND
WINDING UP OF LIMITED LIABILITY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SUMMIT LIQUORS LLC**

On August 21, 2019, Summit Liquors LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The dissolution was effective upon this date.

You are hereby notified that if you believe you have a claim against the Company, you must submit a written summary of your claim to the Company in care of Mark H. Gilgus, Seigfreid Bingham, P.C., 2323 Grand Boulevard, Suite 1000, Kansas City, Missouri 64108. The summary of your claim 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 claim is based occurred;
4. A brief description of the nature of the debt or the basis for the claim; and
5. Whether the claim is secured, and if so, the collateral used as security.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.

**NOTICE OF WINDING UP
TO ALL CREDITORS AND CLAIMANTS AGAINST
JKM RESTAURANT, LLC**

JKM Restaurant, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on August 20, 2019. Any and all claims against JKM Restaurant, LLC may be sent to David S. Lang, 7733 Forsyth Blvd., Suite 400, Clayton, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against JKM Restaurant, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

**LAW OFFICE OF ANDREW WEINHAUS, L.L.C.
8000 MARYLAND AVENUE-SUITE 1150
CLAYTON, MISSOURI 63105**

Phone: (314) 726-2411 • Fax: (314) 726-2413

August 22, 2019

Re: Notice of Winding Up of Maxwell's Interiors, LLC

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL
CREDITORS AND CLAIMANTS AGAINST MAXWELL'S INTERIORS, LLC**

On August 22, 2019, Maxwell's Interiors, LLC, a Missouri Limited Liability Company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Andrew J. Weinhaus, Law Office of Andrew Weinhaus, 8000 Maryland Avenue, Suite 1150, Clayton, Missouri 63105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

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

On August 21, 2019, DARRCO Scenic, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

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

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

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

To: All creditors of and claimants against Professional Park LLC, a Missouri Limited Liability Company.

On August 27, 2019, Professional Park LLC, a Missouri Limited Liability Company, Charter Number LC0543736, filed its notice of winding up with the Missouri Secretary of State.

Said Limited Liability Company requests that all persons and organizations who have claims against it present them immediately by letter to the company at 245 S. Wildwood Drive, Branson, MO 65616.

All claims must include the following information:

1. Name and address of the claimant.
2. The amount claimed.
3. The clear and concise statement of facts supporting the claim.
4. The date the claim was incurred.

NOTICE: Because of the winding up of Professional Park LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of the three notices authorized by statute, whichever is published last.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

To: All creditors of and claimants against Thornsberry Harbor LLC, a Missouri Limited Liability Company.

On June 7, 2019, Thornsberry Harbor LLC, a Missouri Limited Liability Company, Charter Number LC1299873, filed its notice of winding up with the Missouri Secretary of State.

Said Limited Liability Company requests that all persons and organizations who have claims against it present them immediately by letter to the company at 245 S. Wildwood Drive, Branson, MO 65616.

All claims must include the following information:

1. Name and address of the claimant.
2. The amount claimed.
3. The clear and concise statement of facts supporting the claim.
4. The date the claim was incurred.

NOTICE: Because of the winding up of Thornsberry Harbor LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of the three notices authorized by statute, whichever is published last.

**NOTICE OF WINDING UP
TO ALL CREDITORS AND CLAIMANTS AGAINST
DJM PROPERTIES, LLC**

DJM Properties, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on August 20, 2019. Any and all claims against DJM Properties, LLC may be sent to David S. Lang, 7733 Forsyth Blvd., Suite 400, Clayton, MO 63105. Each claim should include the following information: the name, address and telephone number of the claimant; the amount of the claim; the basis of the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Any and all claims against DJM Properties, LLC will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the date this notice is published.

**Notice of Dissolution
to All Creditors of and All Claimants Against
Boulders at Katy Trail Condominium Association**

On August 20, 2019, Boulders at Katy Trail Condominium Association, a Missouri nonprofit corporation (the "Company"), filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State.

Any claims against the Company must be sent to: c/o Mills Properties, Inc., 2650 S. Hanley Road, Suite 200, St. Louis, Missouri 63144. Each claim must include the name, address and phone number of claimant; amount and nature of claim; date on which the claim arose; and any claim documentation.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the date of 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—43 (2018) and 44 (2019). 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
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				43 MoReg 3648
1 CSR 10-5.010	Commissioner of Administration		43 MoReg 3208	44 MoReg 1184	
1 CSR 50-2.040	Missouri Ethics Commission		44 MoReg 2361		
1 CSR 50-2.070	Missouri Ethics Commission		44 MoReg 2362		
1 CSR 50-5.010	Missouri Ethics Commission	44 MoReg 2359	44 MoReg 2362		
1 CSR 50-5.020	Missouri Ethics Commission	44 MoReg 2359	44 MoReg 2362		
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.020	Animal Health		44 MoReg 2087		
2 CSR 30-10.010	Animal Health	44 MoReg 2275	44 MoReg 2283		
2 CSR 70-40.005	Plant Industries		44 MoReg 2363R		
2 CSR 70-40.015	Plant Industries		44 MoReg 2363R		
2 CSR 70-40.016	Plant Industries		44 MoReg 2364R		
2 CSR 70-40.017	Plant Industries		44 MoReg 2364R		
2 CSR 70-40.025	Plant Industries		44 MoReg 2364R		
2 CSR 70-40.040	Plant Industries		44 MoReg 2364R		
2 CSR 70-40.050	Plant Industries		44 MoReg 2365R		
2 CSR 70-40.055	Plant Industries		44 MoReg 2365R		
2 CSR 80-5.010	State Milk Board		44 MoReg 1022	44 MoReg 2129	
2 CSR 90	Weights, Measures and Consumer Protection				44 MoReg 2148
2 CSR 90-10.001	Weights, Measures and Consumer Protection		44 MoReg 2240		
2 CSR 90-10.012	Weights, Measures and Consumer Protection		44 MoReg 1133	44 MoReg 2397	
2 CSR 90-10.019	Weights, Measures and Consumer Protection		44 MoReg 2240		
2 CSR 90-10.130	Weights, Measures and Consumer Protection		44 MoReg 1133	44 MoReg 2397	
2 CSR 90-10.140	Weights, Measures and Consumer Protection		44 MoReg 1134	44 MoReg 2397	
2 CSR 90-10.145	Weights, Measures and Consumer Protection		44 MoReg 1134	44 MoReg 2398	
2 CSR 90-10.150	Weights, Measures and Consumer Protection		44 MoReg 1134	44 MoReg 2398	
2 CSR 90-10.155	Weights, Measures and Consumer Protection		44 MoReg 1135	44 MoReg 2398	
2 CSR 90-10.160	Weights, Measures and Consumer Protection		44 MoReg 1135	44 MoReg 2398	
2 CSR 90-10.165	Weights, Measures and Consumer Protection		44 MoReg 1136	44 MoReg 2398	
2 CSR 90-10.170	Weights, Measures and Consumer Protection		44 MoReg 1136	44 MoReg 2399	
2 CSR 90-10.175	Weights, Measures and Consumer Protection		44 MoReg 1137	44 MoReg 2399	
2 CSR 90-10.180	Weights, Measures and Consumer Protection		44 MoReg 1137	44 MoReg 2399	
2 CSR 90-38.010	Weights, Measures and Consumer Protection		43 MoReg 2012R		
2 CSR 90-38.020	Weights, Measures and Consumer Protection		43 MoReg 2012R		
2 CSR 90-38.030	Weights, Measures and Consumer Protection		43 MoReg 2012R		
2 CSR 90-38.040	Weights, Measures and Consumer Protection		43 MoReg 2013R		
2 CSR 90-38.050	Weights, Measures and Consumer Protection		43 MoReg 2013R		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		This Issue		
3 CSR 10-4.117	Conservation Commission		This Issue		
3 CSR 10-4.130	Conservation Commission		This Issue		
3 CSR 10-4.135	Conservation Commission		44 MoReg 1832		
3 CSR 10-4.136	Conservation Commission		44 MoReg 2087		
3 CSR 10-4.137	Conservation Commission		44 MoReg 2088		
3 CSR 10-4.140	Conservation Commission		44 MoReg 2088		
3 CSR 10-4.145	Conservation Commission		44 MoReg 2088		
3 CSR 10-4.200	Conservation Commission		44 MoReg 1833		
3 CSR 10-5.205	Conservation Commission		44 MoReg 2089		
3 CSR 10-5.215	Conservation Commission		44 MoReg 2090		
3 CSR 10-5.225	Conservation Commission		44 MoReg 2091		
3 CSR 10-5.250	Conservation Commission		44 MoReg 1833		
3 CSR 10-5.300	Conservation Commission		44 MoReg 2091		
3 CSR 10-5.310	Conservation Commission		44 MoReg 2091		
3 CSR 10-5.320	Conservation Commission		44 MoReg 2092		
3 CSR 10-5.330	Conservation Commission		44 MoReg 2092		
3 CSR 10-5.331	Conservation Commission		44 MoReg 2092		
3 CSR 10-5.345	Conservation Commission		44 MoReg 2092		
3 CSR 10-5.430	Conservation Commission		44 MoReg 1835		
3 CSR 10-5.440	Conservation Commission		44 MoReg 1837		
3 CSR 10-5.445	Conservation Commission		44 MoReg 1839		
3 CSR 10-5.540	Conservation Commission		44 MoReg 1841		
3 CSR 10-5.545	Conservation Commission		44 MoReg 1843		
3 CSR 10-5.551	Conservation Commission		44 MoReg 1845		
3 CSR 10-5.552	Conservation Commission		44 MoReg 1847		
3 CSR 10-5.559	Conservation Commission		44 MoReg 1847		
3 CSR 10-5.560	Conservation Commission		44 MoReg 1849		
3 CSR 10-5.565	Conservation Commission		44 MoReg 1851		
3 CSR 10-5.567	Conservation Commission		44 MoReg 1853		
3 CSR 10-5.570	Conservation Commission		44 MoReg 1855		
3 CSR 10-5.576	Conservation Commission		44 MoReg 1857		
3 CSR 10-5.579	Conservation Commission		44 MoReg 1859		
3 CSR 10-5.580	Conservation Commission		44 MoReg 1861		
3 CSR 10-5.700	Conservation Commission		44 MoReg 2093		
3 CSR 10-5.705	Conservation Commission		44 MoReg 2096		
3 CSR 10-6.550	Conservation Commission		N.A.	This Issue	
3 CSR 10-7.405	Conservation Commission		This Issue		
3 CSR 10-7.410	Conservation Commission		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-7.439	Conservation Commission		This Issue		
3 CSR 10-7.450	Conservation Commission		44 MoReg 2099		
3 CSR 10-7.455	Conservation Commission		44 MoReg 1998		44 MoReg 445
3 CSR 10-7.700	Conservation Commission		44 MoReg 2099		
3 CSR 10-7.705	Conservation Commission		44 MoReg 2103		
3 CSR 10-7.710	Conservation Commission		44 MoReg 2103		
3 CSR 10-7.715	Conservation Commission		44 MoReg 2104		
3 CSR 10-8.510	Conservation Commission		This Issue		
3 CSR 10-9.625	Conservation Commission		44 MoReg 2104		
3 CSR 10-10.743	Conservation Commission		This Issue		
3 CSR 10-10.744	Conservation Commission		44 MoReg 1863		
3 CSR 10-10.767	Conservation Commission		44 MoReg 1865		
3 CSR 10-10.768	Conservation Commission		44 MoReg 2104		
3 CSR 10-11.140	Conservation Commission		This Issue		
3 CSR 10-11.145	Conservation Commission		44 MoReg 2105		
3 CSR 10-11.180	Conservation Commission		This Issue		
3 CSR 10-11.186	Conservation Commission		This Issue		
3 CSR 10-11.190	Conservation Commission		44 MoReg 2105		
3 CSR 10-11.200	Conservation Commission		This Issue		
3 CSR 10-11.205	Conservation Commission		This Issue		
3 CSR 10-20.805	Conservation Commission		44 MoReg 1867		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 85-5.010	Division of Business and Community Services	44 MoReg 1229	44 MoReg 1248	This Issue	
4 CSR 85-5.020	Division of Business and Community Services	44 MoReg 1230	44 MoReg 1249	This Issue	
4 CSR 85-5.030	Division of Business and Community Services	44 MoReg 1232	44 MoReg 1251	This Issue	
4 CSR 85-5.040	Division of Business and Community Services	44 MoReg 1233	44 MoReg 1252	This Issue	
4 CSR 85-5.050	Division of Business and Community Services	44 MoReg 1233	44 MoReg 1252	This Issue	
4 CSR 85-5.060	Division of Business and Community Services	44 MoReg 1234	44 MoReg 1253	This Issue	
4 CSR 85-5.070	Division of Business and Community Services	44 MoReg 1234	44 MoReg 1253	This Issue	
4 CSR 85-5.080	Division of Business and Community Services	44 MoReg 1235	44 MoReg 1253	This Issue	
4 CSR 85-5.090	Division of Business and Community Services	44 MoReg 1235	44 MoReg 1254	This Issue	
4 CSR 85-5.100	Division of Business and Community Services	44 MoReg 1236	44 MoReg 1254	This Issue	
4 CSR 85-5.110	Division of Business and Community Services	44 MoReg 1237	44 MoReg 1255	This Issue	
4 CSR 240-2	Public Service Commission (<i>Changed to 20 CSR 4240-2</i>)				44 MoReg 2322
4 CSR 240-3	Public Service Commission (<i>Changed to 20 CSR 4240-3</i>)				44 MoReg 2322
4 CSR 240-4	Public Service Commission (<i>Changed to 20 CSR 4240-4</i>)				44 MoReg 2323
4 CSR 240-10	Public Service Commission (<i>Changed to 20 CSR 4240-10</i>)				44 MoReg 2323
4 CSR 240-13	Public Service Commission (<i>Changed to 20 CSR 4240-13</i>)				44 MoReg 2323
4 CSR 240-14	Public Service Commission (<i>Changed to 20 CSR 4240-14</i>)				44 MoReg 2323
4 CSR 240-18	Public Service Commission (<i>Changed to 20 CSR 4240-18</i>)				44 MoReg 2323
4 CSR 240-20	Public Service Commission (<i>Changed to 20 CSR 4240-20</i>)				44 MoReg 2323
4 CSR 240-20.100	Public Service Commission (<i>Changed to 20 CSR 4240-20.100</i>)		44 MoReg 1024	44 MoReg 2319	
4 CSR 240-22	Public Service Commission (<i>Changed to 20 CSR 4240-22</i>)				44 MoReg 2323
4 CSR 240-23	Public Service Commission (<i>Changed to 20 CSR 4240-23</i>)				44 MoReg 2323
4 CSR 240-28	Public Service Commission (<i>Changed to 20 CSR 4240-28</i>)				44 MoReg 2324
4 CSR 240-29	Public Service Commission (<i>Changed to 20 CSR 4240-29</i>)				44 MoReg 2324
4 CSR 240-31	Public Service Commission (<i>Changed to 20 CSR 4240-31</i>)				44 MoReg 2324
4 CSR 240-34	Public Service Commission (<i>Changed to 20 CSR 4240-34</i>)				44 MoReg 2324
4 CSR 240-36	Public Service Commission (<i>Changed to 20 CSR 4240-36</i>)				44 MoReg 2324
4 CSR 240-40	Public Service Commission (<i>Changed to 20 CSR 4240-40</i>)				44 MoReg 2324
4 CSR 240-50	Public Service Commission (<i>Changed to 20 CSR 4240-50</i>)				44 MoReg 2324
4 CSR 240-60	Public Service Commission (<i>Changed to 20 CSR 4240-60</i>)				44 MoReg 2324
4 CSR 240-61	Public Service Commission (<i>Changed to 20 CSR 4240-61</i>)				44 MoReg 2324
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4 CSR 240-123	Public Service Commission (<i>Changed to 20 CSR 4240-123</i>)				44 MoReg 2325
4 CSR 240-124	Public Service Commission (<i>Changed to 20 CSR 4240-124</i>)				44 MoReg 2325
4 CSR 240-125	Public Service Commission (<i>Changed to 20 CSR 4240-125</i>)				44 MoReg 2325
4 CSR 240-126	Public Service Commission (<i>Changed to 20 CSR 4240-126</i>)				44 MoReg 2325
4 CSR 240-127	Public Service Commission (<i>Changed to 20 CSR 4240-127</i>)				44 MoReg 2325
4 CSR 340-2	Division of Energy				44 MoReg 1758
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5 CSR 20-100.190	Division of Learning Services		43 MoReg 3780	44 MoReg 1392	
5 CSR 20-100.295	Division of Learning Services		44 MoReg 2105		

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5 CSR 20-100.330	Division of Learning Services				44 MoReg 2325
5 CSR 20-400.180	Division of Learning Services		44 MoReg 2000		
5 CSR 20-400.220	Division of Learning Services		44 MoReg 1665		
5 CSR 20-400.610	Division of Learning Services		44 MoReg 2002		
5 CSR 20-600.110	Division of Learning Services (<i>Changed to 5 CSR 20-100.330</i>)		44 MoReg 79	44 MoReg 1333	
5 CSR 20-600.120	Division of Learning Services (<i>Changed to 5 CSR 20-100.300</i>)				43 MoReg 3651
5 CSR 20-600.130	Division of Learning Services (<i>Changed to 5 CSR 20-100.310</i>)				43 MoReg 3651
5 CSR 20-600.140	Division of Learning Services (<i>Changed to 5 CSR 20-100.320</i>)				43 MoReg 3651
5 CSR 100-200.035	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2115		
5 CSR 100-200.047	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2115		
5 CSR 100-200.050	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2115		
5 CSR 100-200.070	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2116		
5 CSR 100-200.095	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2116		
5 CSR 100-200.125	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2116		
5 CSR 100-200.130	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2117		
5 CSR 100-200.150	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2117		
5 CSR 100-200.170	Missouri Commission for the Deaf and Hard of Hearing		44 MoReg 2118		
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6 CSR 10-3.020	Commissioner of Higher Education		44 MoReg 2283		
6 CSR 10-14.010	Commissioner of Higher Education		44 MoReg 1502	44 MoReg 2399	
6 CSR 250-10.030	University of Missouri		44 MoReg 2365		
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8 CSR 20-2.010	Labor and Industrial Relations Commission		44 MoReg 1377	44 MoReg 2308	
8 CSR 20-3.010	Labor and Industrial Relations Commission		44 MoReg 1378	44 MoReg 2308	
8 CSR 20-3.030	Labor and Industrial Relations Commission		44 MoReg 1380	44 MoReg 2308	
8 CSR 20-3.060	Labor and Industrial Relations Commission		44 MoReg 1381	44 MoReg 2308	
8 CSR 20-4.010	Labor and Industrial Relations Commission		44 MoReg 1382	44 MoReg 2309	
8 CSR 20-5.010	Labor and Industrial Relations Commission		44 MoReg 2367		
8 CSR 20-8.010	Labor and Industrial Relations Commission		44 MoReg 1383	44 MoReg 2309	
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9 CSR 10-7.060	Director, Department of Mental Health		44 MoReg 2368		
9 CSR 30-3.160	Certification Standards		44 MoReg 1255	44 MoReg 2309	
9 CSR 30-4.005	Certification Standards (<i>Changed from 9 CSR 30-4.042</i>)		44 MoReg 1516		
9 CSR 30-4.010	Certification Standards		44 MoReg 1505R		
9 CSR 30-4.020	Certification Standards		44 MoReg 1505R		
9 CSR 30-4.030	Certification Standards		44 MoReg 1505R		
9 CSR 30-4.031	Certification Standards		44 MoReg 1506R		
9 CSR 30-4.032	Certification Standards		44 MoReg 1506		
9 CSR 30-4.033	Certification Standards		44 MoReg 1507R		
9 CSR 30-4.034	Certification Standards		44 MoReg 1507		
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9 CSR 30-4.038	Certification Standards		44 MoReg 1515R		
9 CSR 30-4.039	Certification Standards		44 MoReg 1515R		
9 CSR 30-4.040	Certification Standards		44 MoReg 1515R		
9 CSR 30-4.042	Certification Standards (<i>Changed to 9 CSR 30-4.005</i>)		44 MoReg 1516		
9 CSR 30-4.043	Certification Standards		44 MoReg 1520		
9 CSR 30-4.0431	Certification Standards		44 MoReg 1526		
9 CSR 30-4.0432	Certification Standards		44 MoReg 1528		
9 CSR 30-4.045	Certification Standards		44 MoReg 1533		
9 CSR 30-4.046	Certification Standards		44 MoReg 1536		
9 CSR 30-4.160	Certification Standards		44 MoReg 1539R		
9 CSR 30-4.190	Certification Standards		44 MoReg 1539		
9 CSR 30-4.195	Certification Standards		44 MoReg 1540		
9 CSR 30-6.010	Certification Standards	44 MoReg 1237	44 MoReg 1264	44 MoReg 2309	
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10 CSR 10-5.550	Air Conservation Commission		44 MoReg 1272		
10 CSR 10-5.570	Air Conservation Commission		44 MoReg 2009		
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10 CSR 10-6.060	Air Conservation Commission		This Issue		
10 CSR 10-6.130	Air Conservation Commission		43 MoReg 1304		
10 CSR 10-6.140	Air Conservation Commission		44 MoReg 1544		
10 CSR 10-6.161	Air Conservation Commission		44 MoReg 2011		
10 CSR 10-6.200	Air Conservation Commission		44 MoReg 1872		
10 CSR 10-6.330	Air Conservation Commission		44 MoReg 2371		
10 CSR 10-6.390	Air Conservation Commission		44 MoReg 2372		
10 CSR 20-6.020	Clean Water Commission		44 MoReg 2290		
10 CSR 25-7	Hazardous Waste Management Commission				44 MoReg 1758
10 CSR 25-12.010	Hazardous Waste Management Commission		This Issue		
10 CSR 60-15.020	Safe Drinking Water Commission		44 MoReg 1138	This Issue	
10 CSR 80-2.010	Solid Waste Management		44 MoReg 501	44 MoReg 2129W	

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10 CSR 80-12.010	Solid Waste Management		44 MoReg 542	44 MoReg 2130W	
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11 CSR 10-11.020	Adjutant General		44 MoReg 1025R	44 MoReg 2312R	
11 CSR 10-11.040	Adjutant General		44 MoReg 1026R	44 MoReg 2312R	
11 CSR 10-11.050	Adjutant General		44 MoReg 1026R	44 MoReg 2313R	
11 CSR 10-11.070	Adjutant General		44 MoReg 1026R	44 MoReg 2313R	
11 CSR 10-11.090	Adjutant General		44 MoReg 1026R	44 MoReg 2313R	
11 CSR 10-11.100	Adjutant General		44 MoReg 1027R	44 MoReg 2313R	
11 CSR 10-11.110	Adjutant General		44 MoReg 1027R	44 MoReg 2313R	
11 CSR 10-11.120	Adjutant General		44 MoReg 1027R	44 MoReg 2313R	
11 CSR 30-1.010	Office of the Director		44 MoReg 1027	44 MoReg 2313	
11 CSR 30-1.050	Office of the Director		44 MoReg 1029R	44 MoReg 2314R	
11 CSR 30-8.010	Office of the Director		43 MoReg 1328R		
11 CSR 30-8.020	Office of the Director		43 MoReg 1328R		
11 CSR 30-8.030	Office of the Director		43 MoReg 1328R		
11 CSR 30-8.040	Office of the Director		43 MoReg 1328R		
11 CSR 30-9.010	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.020	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.030	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.040	Office of the Director		43 MoReg 1329R		
11 CSR 30-9.050	Office of the Director		43 MoReg 1330R		
11 CSR 30-10.010	Office of the Director		44 MoReg 1029R	44 MoReg 2314R	
11 CSR 30-16.010	Office of the Director		42 MoReg 180		
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11 CSR 45-5.190	Missouri Gaming Commission		44 MoReg 1547		
11 CSR 45-5.200	Missouri Gaming Commission		44 MoReg 1547		
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11 CSR 45-8.140	Missouri Gaming Commission		44 MoReg 1551		
11 CSR 45-9.105	Missouri Gaming Commission		44 MoReg 1552		
11 CSR 45-11.020	Missouri Gaming Commission		44 MoReg 1872		
11 CSR 45-11.110	Missouri Gaming Commission		44 MoReg 1873		
11 CSR 45-12.020	Missouri Gaming Commission		44 MoReg 1552		
11 CSR 45-12.080	Missouri Gaming Commission		44 MoReg 1552		
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13 CSR 40-13.010	Family Support Division		44 MoReg 1139	44 MoReg 2242	
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13 CSR 40-13.020	Family Support Division		44 MoReg 1142	44 MoReg 2243	
13 CSR 40-110.030	Family Support Division		44 MoReg 1384	44 MoReg 2399	
13 CSR 65-3.010	Missouri Medicaid Audit and Compliance	44 MoReg 761			
13 CSR 70-3.310	MO HealthNet Division		44 MoReg 1666		
13 CSR 70-6.010	MO HealthNet Division		44 MoReg 1669		
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13 CSR 70-10.110	MO HealthNet Division	44 MoReg 1664	44 MoReg 1675		
13 CSR 70-15.010	MO HealthNet Division	44 MoReg 2235			
13 CSR 70-15.110	MO HealthNet Division	44 MoReg 2236			
13 CSR 70-20.320	MO HealthNet Division		44 MoReg 1557		
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19 CSR 30-95.030	Qualifying Patient/Primary Caregiver44 MoReg 1804	June 3, 2019 Feb. 27, 2020
19 CSR 30-95.040	Medical Marijuana Facilities Generally44 MoReg 1809	June 3, 2019 Feb. 27, 2020
19 CSR 30-95.050	Cultivation Facility44 MoReg 1818	June 3, 2019 Feb. 27, 2020
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19 CSR 30-95.070	Testing Facility44 MoReg 1819	June 3, 2019 Feb. 27, 2020
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20 CSR 2220-2.995	Board Approved Pilot and Research Projects	Next Issue	Sept. 27, 2019 March 24, 2020
20 CSR 2220-2.400	Compounding Standards of Practice44 MoReg 1241	March 30, 2019 Jan. 8, 2020
20 CSR 2220-2.990	Rx Cares for Missouri Program44 MoReg 2275	July 28, 2019 Feb. 27, 2020
20 CSR 2220-4.010	General Fees44 MoReg 2238	July 20, 2019 Nov. 5, 2019
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20 CSR 2270-4.031	Minimum Standards for Practice Techniques44 MoReg 1242	March 30, 2019 Jan. 8, 2020

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19-16	Orders the commencement of the Missouri as a Model Employer Initiative, with directives for the State of Missouri employing people with disabilities	Sept 9, 2019	Next Issue
19-15	Declares the Department of Higher Education be henceforth called Department of Higher Education and Workforce Development	Aug 28, 2019	This Issue
Proclamation	Calls for a Special Session of the One Hundredth General Assembly	Aug 21, 2019	This Issue
19-14	Establishes the Flood Recovery Advisory Working Group	July 18, 2019	44 MoReg 2281
19-13	Establishes the Missouri Health Insurance Innovation Task Force	July 17, 2019	44 MoReg 2278
19-12	Closes state offices July 5, 2019	July 3, 2019	44 MoReg 2239
19-11	Establishes the Missouri Food, Beverage, and Forest Products Manufacturing Task Force	June 28, 2019	44 MoReg 2085
19-10	Extends Executive Order 19-06 - State of Emergency	June 13, 2019	44 MoReg 1993
19-09	Calls and orders into active service, portions of the organized militia as necessary to aid executive officials in protecting life and property	May 27, 2019	44 MoReg 1830
19-08	Declares a State of Emergency	May 21, 2019	44 MoReg 1828
Writ of Election	Fills vacancy in the One Hundredth General Assembly from the 158th district	April 23, 2019	44 MoReg 1499
Writ of Election	Fills vacancy in the One Hundredth General Assembly from the 99th district	April 23, 2019	44 MoReg 1497
19-07	Extends Executive Order 19-06 - State of Emergency	April 30, 2019	44 MoReg 1501
19-06	Gives the Department of Natural Resources discretionary authority to waive or suspend operation to best serve the interests of the public health and safety during the State of Emergency	March 29, 2019	44 MoReg 1246
19-05	Declares a State of Emergency	March 21, 2019	44 MoReg 1244
19-04	Establishes the Missouri School Safety Task Force	March 13, 2019	44 MoReg 1131
Proclamation	Governor reduces line items in the budget.	Jan. 28, 2019	44 MoReg 771
19-03	Transfers the Division of Workforce Development to the Department of Higher Education	Jan. 17, 2019	44 MoReg 767
19-02	Transfers the Office of Public Counsel and Public Service Commission to the Department of Insurance, Financial Institutions and Professional Registration	Jan. 17, 2019	44 MoReg 765
19-01	Transfers the Division of Energy to the Department of Natural Resources	Jan. 17, 2019	44 MoReg 763
<u>2018</u>			
18-12	Establishes the Missouri 2020 Complete Count Committee	Dec. 18, 2018	44 MoReg 498
18-11	Closes state offices December 24, 2018.	Nov. 30, 2018	43 MoReg 3761
18-10	Establishes that each executive branch adhere to the code of conduct regarding gifts form lobbyist	Nov. 20, 2018	44 MoReg 36
18-09	Closes state offices November 23, 2018.	Nov. 1, 2018	43 MoReg 3204
18-08	Establishes the Missouri Justice Reinvestment Executive Oversight Council.	Oct. 25, 2018	43 MoReg 3472
Proclamation	Governor temporarily reduces line items in the budget.	Oct. 31, 2018	43 MoReg 3416
18-07	Establishes the Bicentennial Commission.	Oct. 12, 2018	43 MoReg 3202
Proclamation	Calls upon the Senators and Representatives to enact legislation requiring the Department of Elementary and Secondary Education to establish a statewide program to be known as the "STEM Career Awareness Program."	Sept. 4, 2018	43 MoReg 2780
18-06	Designates those members of the governor's staff who have supervisory authority over each department, division, or agency of state government.	Aug. 21, 2018	43 MoReg 2778
18-05	Declares a drought alert for 47 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	July 18, 2018	43 MoReg 2539
18-04	Extends the deadline from Section 3d of Executive Order 17-03 through September 30, 2018.	June 29, 2018	43 MoReg 1996
18-03	Reauthorizes and restructures the Homeland Security Advisory Council.	April 25, 2018	43 MoReg 1123
18-02	Declares a State of Emergency and activates the state militia in response to severe weather that began on Feb. 23.	Feb. 24, 2018	43 MoReg 664
Proclamation	Governor notifies the General Assembly that he is reducing appropriation lines in the fiscal year 2018 budget.	Feb. 14, 2018	43 MoReg 519
18-01	Rescinds Executive Order 07-21.	Jan. 4, 2018	43 MoReg 251

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