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SALUS POPULI SUPREMA LEX ESTO

*“The welfare of the people shall be the supreme law.”*



JOHN R. ASHCROFT  
SECRETARY OF STATE

MISSOURI  
REGISTER

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March 1, 2022 March 15, 2022	<b>April 1, 2022</b> <b>April 15, 2022</b>	April 30, 2022 April 30, 2022	May 30, 2022 May 30, 2022
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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at [sos.mo.gov/adrules/pubsched](http://sos.mo.gov/adrules/pubsched).

## HOW TO CITE RULES AND RSMO

### RULES

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

<b>Title</b>	<b>CSR</b>	<b>Division</b>	<b>Chapter</b>	<b>Rule</b>
3 Department	<i>Code of State Regulations</i>	10- Agency division	4 General area regulated	.115 Specific area regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

### ***Code and Register on the Internet***

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is [sos.mo.gov/adrules/csr/csr](http://sos.mo.gov/adrules/csr/csr)

The *Register* address is [sos.mo.gov/adrules/moreg/moreg](http://sos.mo.gov/adrules/moreg/moreg)

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

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

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

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

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

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

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

Proposed Amendment Text Reminder:  
**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

### Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

#### PROPOSED AMENDMENT

**3 CSR 10-7.433 Deer: Firearms Hunting Season.** The commission proposes to amend subsection (3)(A).

*PURPOSE: This amendment would eliminate the conflict that currently exists where elk hunters in counties open during both the elk firearms portion and deer antlerless portion would not be allowed to pursue elk using all legal elk firearms methods during the deer antlerless portion.*

(3) Other wildlife may be hunted during the firearms deer hunting season except as further restricted in this section—

(A) During the November portion statewide and the antlerless portion in open counties, other wildlife (except furbearers) may be hunted only with pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun and shot not larger than No. 4; except that waterfowl hunters, trappers, or landowners on their land may use other methods as specified in 3 CSR 10-7.410(1)(G); **and except that elk hunters may use other methods as specified in 3 CSR 10-7.700(4) during the firearms portion of the elk season;**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the Code of State Regulations. Amended: Filed May 20, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

### Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits

#### PROPOSED AMENDMENT

**3 CSR 10-7.705 Elk: Hunting Season.** The commission proposes to amend subsection (2)(A).

*PURPOSE: This amendment would eliminate the conflict that currently exists where deer hunters in counties open during both the elk firearms portion and deer antlerless portion would not be allowed to pursue deer using all legal deer firearms methods until the close of the elk firearms portion.*

(2) Other wildlife may be hunted during the firearms portion of the elk hunting season except as further restricted in this section[:]-

(A) During the firearms portion of the elk hunting season in open counties, other wildlife may be hunted only with pistol, revolver, or rifle firing a .22 caliber or smaller rimfire cartridge, or a shotgun and shot not larger than No. 4; except that waterfowl hunters, trappers, or landowners on their land may use other methods as specified in 3 CSR 10-7.410(1)(G); **and except that deer hunters may use other methods as specified in 3 CSR 10-7.431(5) during the antlerless portion of the firearms deer season;**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.040, RSMo 2016. Original rule filed June 28, 2019, effective Dec. 30, 2019. Amended: Filed March 26, 2021, effective April 15, 2021. Amended: Filed March 25, 2022, effective April 15, 2022. Amended: Filed May 20, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND  
SECONDARY EDUCATION  
Division 30—Division of Financial and Administrative  
Services  
Chapter 4—General Administration**

**PROPOSED AMENDMENT**

**5 CSR 30-4.030 Audit Policy and Requirements.** The State Board of Education is amending the purpose, sections (1), (2), (4), (5), and (6), and adding sections (7) and (8).

*PURPOSE:* The purpose of this proposed amendment is providing clarity to the rule, updating terminology, incorporating federal references into the regulation, and changing the responsible section for reviewing audits within the Department of Elementary and Secondary Education (department). This amendment does not make substantive changes to Local Education Agencies' (LEAs') requirements.

*PURPOSE:* This rule establishes a comprehensive policy for public [school district and charter school audits] local education agencies (LEAs). This policy outlines the purposes of audits, the responsibilities various parties have in the audit and the audit review process, relationships in this process, minimum audit requirements, and procedures the Department of Elementary and Secondary Education [will] (department) follows in resolving any question or problem which may be disclosed by the audit.

(1) For the purpose of this rule, unless the context clearly requires otherwise, the following terms shall mean:

(A) [School] Local Education Agency (LEA). Public school district or charter school and, for the purpose of this rule, charter school includes non-LEA charter schools; and

(2) Audits of [schools] LEAs are primarily intended to express an auditor's opinion on the fairness of presentation of the financial statements. Audits also provide an independent review of financial operations, systems of internal control, and compliance with relevant state and federal laws and regulations.

(4) The board's responsibilities are as follows:

(A) Each board is responsible for defining an appropriate scope of the audit.

1. At a minimum, the audit must include the [school's] LEA's:

- A. General, [S]pecial [R]evenue, [D]ebt [S]ervice, and [C]apital [P]rojects funds;
- B. Fiduciary funds;
- C. Proprietary funds; and
- D. Component units (unless a component unit issues its own audited financial statements).

2. A Single [A]udit of federal funds expended by the [school] LEA may be required. State law provides for the acceptance of federal acts and funds and for [their] its necessary administration and supervision. Audit requirements are a part of federal acts and the implementing regulations adopted by the administering federal agencies. [The requirements of the Single Audit Act, as amended

by The Single Audit Act Amendments of 1996, 62 Fed. Reg. 35278-35319 (1997), Office of Management and Budget (OMB) Uniform Grant Guidance 2 CFR Part 200, which is incorporated by reference and made a part of this rule as published by the Office of the Federal Register, Office of Administration and is available by contacting the Office of Administration, Publications Office, Room 2200, New Executive Office Building, Washington, DC 20503, and Government Auditing Standards, December 2011 Revision, issued by the Comptroller General of the United States, which is incorporated by reference and made a part of this rule as published by the U.S. Government Accountability Office, 441 G St. NW, Washington, DC 20548, are included in this audit policy. This rule does not incorporate any subsequent amendments or additions. Specific application of these requirements shall be as follows:]

A. All [schools] LEAs that expend a total amount of federal awards equal to, or in excess of, the amount specified in Office of Management and Budget (OMB) Uniform Grant Guidance 2 CFR Part 200 as the [S]ingle [A]udit threshold or such other amount specified by the federal director of the OMB in any fiscal year shall either have a single audit or a program-specific audit made for such fiscal year in accordance with the requirements of *The Single Audit Act Amendments of 1996*, OMB Uniform Grant Guidance 2 CFR Part 200 and the *Government Auditing Standards*; or].

B. All [schools] LEAs that expend a total amount of federal awards of less than the amount specified in OMB Uniform Grant Guidance 2 CFR Part 200 as the [S]ingle [A]udit threshold or such other amount specified by the director of the OMB in any fiscal year shall be exempt for such fiscal year from compliance with *The Single Audit Act Amendments of 1996*. However, the [school] LEA must make the records available for review or audit by appropriate officials of the appropriate federal agency, department, and the Government Accountability Office (GAO). Also, these [schools] LEAs shall be required to have an audit performed in accordance with *Government Auditing Standards*.

3. All [charter school] audits shall be single entity reports completed based on a July 1 to June 30 fiscal year on an annual basis except for non-LEA charter schools that are part of an LEA. Non-LEA charter schools that are part of an LEA shall have an independent audit report as a single entity separate from the LEA audit report.

4. [Schools] LEAs that cease operations are not exempt from the audit requirements. A final audit of the [school's] LEA's activities through the date it ceases operations must be performed and submitted to the department as otherwise described in this rule;

(B) Each board is responsible for procuring audit services. Audit services should be competitively bid in accordance with [district] LEA procurement policy.

1. Each board is responsible for procuring an independent auditor who holds a current permit to practice public accounting in the state of Missouri and meets the requirements for continuing professional education and peer review, as defined by the regulations of the Missouri State Board of Accountancy and *Government Auditing Standards*. Subcontractors must also meet these requirements.

2. When the board requests proposals for audit services, the objectives and scope of the audit must be made clear. [and t/The [school] LEA must request a copy of the audit organization's peer review report, which the auditor is required to provide under [Generally Accepted Government Auditing Standards (GAGAS), revised December 2011, which is incorporated by reference and made a part of this rule as published by the Department of Elementary and Secondary Education (department) and is available at the Accounting and Procurement Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480] the *Government Auditing Standards*.

3. Auditors performing [S]ingle [A]udits pursuant to OMB Uniform Grant Guidance 2 CFR Part 200 must not be suspended or

debarred from doing business with the federal government;

(C) The **board** audit report shall be submitted to the department by *[school]* LEA officials no later than December 31 of each year. If the audit is not received by the deadline, all funds disbursed by the department to the *[school]* LEA may be withheld until the audit is received;

(D) The board is responsible for transmitting one (1) copy of the **board-approved audit** report; the related management letter, if one is prepared by the independent auditor; *[and]* **all other documentation or records as required by the department**; a copy of the final approved signed board minutes or board resolution, indicating approval of the audit report to the department; and other copies of the audit report as required by federal laws and regulations to the appropriate agency(ies). The management letter (if applicable) and a copy of the final approved signed board minutes or board resolution indicating approval of the audit report must be received by the department before the audit file *[will be]* is considered complete for the fiscal year.

1. The audit report related management letter, and copy of the final approved signed board minutes or board resolution must be submitted electronically to the department by the board *[through the Web Applications program]* as **designated by the department**. All signatures that would normally be included on the hard copy document must be present on the electronic document. Documents with scanned signatures *[will be accepted]* are **acceptable**. Copies of unsigned audit reports, management letters, or board minutes or resolutions *[will not be accepted]* are **not acceptable**.

2. Revisions to an audit report may also be submitted electronically to the department but must be accompanied by a signed statement from the independent auditor on the firm's letterhead explaining the reason for the revision;

(E) *[Schools]* LEAs that have a *[S]*single *[A]*audit performed and have federal findings or questioned costs shall submit the *[school's]* LEA's Corrective Action Plan prepared in accordance with OMB *Uniform Grant Guidance 2 CFR Part 200* with their audit report and management letter as stated above.

1. The corrective action plan must be *[in a separate document from]* **included with** the audit report;

(F) The board must notify the department's Financial and Administrative Services *[section]* **Division** if fraud or embezzlement is discovered during the course of the audit;

(G) The board must prepare financial statements that reflect its financial position, notes to the financial statements, and assertions related to compliance with state and federal laws and regulations *[and also, the board is responsible for the accuracy of the audited financial statements; and]*;

(H) Each board is responsible for ensuring implementation of audit recommendations as appropriate and resolving any questions or discrepancies disclosed by the audit or noted by the department*[.]*; **and**

**(I) The board is responsible for the accuracy of the audited financial statements.**

(5) The independent auditor is responsible for conducting the audit in accordance with generally accepted auditing standards, government auditing standards, federal audit requirements, and the department audit guidelines as contained or referenced in this rule; submitting the audit report to the client board; and assisting in resolving questions or problems *[which]* **that** may be disclosed by the audit. Depending on the contract or agreement the *[school]* LEA has with its independent auditor, this assistance may require additional compensation to be paid to the auditor.

(A) *[School]* LEA audits must contain at a minimum the following:

1. A statement of the scope of examination;

2. A statement as to whether the audit was conducted in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing*

*Standards*, issued by the Comptroller General of the United States;

3. The independent auditor's opinion as to whether the financial statements included in the audit report present fairly the results of the operations during the period audited;

4. A statement as to whether the financial statements accompanying the audit report were prepared in accordance with generally accepted accounting principles or another comprehensive basis of accounting;

5. The reason or reasons an opinion is not rendered in the event the independent auditor is unable to express an opinion with respect thereto;

6. Except for charter schools, the independent auditor's opinion as to whether the *[school's]* LEA's budgetary and disbursement procedures conform to the requirements of Chapter 67, RSMo;

7. The independent auditor's opinion as to whether attendance and transportation records are so maintained by the *[school]* LEA as to disclose accurately average daily attendance and average daily transportation of pupils during the period of the audit;

8. The schedule of selected statistics, as specified annually by the department; and

9. Financial statements presented in such form as to disclose the operations of each fund of the *[school]* LEA and a statement of the operations of all funds.

(6) The department has the general responsibility to receive and review audits*[;]* **and** to verify that minimum audit requirements have been met*[; and with the school's independent auditor, to resolve any questions or discrepancies]*. Specific responsibilities within the department are assigned as follows:

(A) *[The department has an advisory and supervisory relationship with the board through the school's administrative staff.]* Questions regarding audit reports and any audit problems, discrepancies, or findings *[will]* are generally *[be]* resolved by the department directly with the administrative staff at the *[school]* LEA. However, in some cases, department staff may communicate directly with the *[school's]* LEA's auditor. Department staff *[will]* **may** communicate with the federal cognizant agency (typically, the U.S. Department of Education) regarding compliance with various federal requirements. The cognizant agency has the authority to make periodic contacts with *[school]* LEA officials and their auditors regarding specific questions, audit deficiencies, or review of the audit process; and

(B) The *[department's Accounting and Procurement section is the primary point of contact with the school and their independent auditor regarding audit requirements and audit reports. This section]* **department** is responsible for reviewing the audit reports for general acceptability in accordance with state and federal guidelines.

1. Department staff *[will make a preliminary review]* **preliminarily review the audit** to determine if the audit generally conforms to state and federal requirements referenced in this rule.

2. *[Schools which]* LEAs that receive an audit with a disclaimer of opinion shall institute corrective measures to ensure that the subsequent audit does not contain a disclaimer of opinion. If a disclaimer of opinion is rendered on the subsequent audit, the audit shall be deemed unacceptable and all funds disbursed by the department to the *[school]* LEA may be withheld until such time as the *[school]* LEA demonstrates to the department that the situation resulting in the disclaimer of opinion has been corrected by the *[school]* LEA.

3. Audit reports containing an adverse opinion *[will be]* **are** evaluated by department staff. Depending on the reasons for the adverse opinion, the department may require the *[school]* LEA to provide evidence that corrective action has been or is being taken to eliminate the adverse opinion from future reports. If corrective action is not taken as deemed necessary by the department and an adverse opinion is rendered on the subsequent audit, the audit shall be deemed unacceptable and all funds disbursed by the department

to the [school] LEA may be withheld until such time as the [district] LEA demonstrates to the department that the situation resulting in the adverse opinion has been corrected by the [school] LEA.

4. *[Audits will be reviewed on a rotating basis]* Department staff will review a sample of audits via a formal desk review for adherence to the appropriate audit requirements (*The Single Audit Act Amendments of 1996*; OMB *Uniform Grant Guidance* 2 CFR Part 200; *Government Auditing Standards*, as well as the state requirements) included or referenced in this rule.

A. Any deficiencies with the audit, during this phase, [will be] are communicated to [school] LEA officials and/or the independent auditor depending on the severity and type of deficiency noted. Resolution of desk review items should occur within the time frame provided by the department in the written communication with the [school] LEA or the independent auditor. Failure to address noted deficiencies may result in the withholding of funds disbursed by the department to the [school] LEA. Severe deficiencies and/or inaction by the [school's] LEA's independent auditor may result in the reporting of the independent auditor to the Missouri State Board of Accountancy.

B. Review of the independent auditor's working papers may be conducted by the department as deemed appropriate to ensure appropriate work has been performed to support statements, opinions, findings[, etc.] of the independent auditor. Auditors may be requested to provide their most recent peer review report to the department.

5. For audits conducted in accordance with OMB *Uniform Grant Guidance* 2 CFR Part 200, federal findings and questioned costs and the related Corrective Action Plan [will be] are circulated to the appropriate department program sections for follow-up with the [school] LEA.

A. The program sections, both federal and state, are responsible for addressing relevant portions of the audit including follow-up with [school] LEA officials and their independent auditors to resolve any questions, discrepancies, or audit findings.

B. The appropriate program section shall issue a written management decision to the [school] LEA indicating approval/disapproval of the [school's] LEA's Corrective Action Plan. This must take place within six (6) months from the receipt of the audit.

C. When the program section review suggests questions or discloses discrepancies, the individual program section [will correspond] corresponds directly with the [school] LEA. This correspondence initiates a procedure for resolving program audit questions and discrepancies which is outlined below:

(I) Personnel of the various program sections [will] advise the [school] LEA officials of the findings and the nature of any discrepancy found in the audit report;

(II) Within the time frame provided by the department, [school] LEA officials [will be] are expected to respond with clarifying information and, as appropriate, corrected data or a corrected page of the audit report issued by the independent auditor who conducted the original audit. Department staff [will] assist in every reasonable way to help a [school] LEA and/or its independent auditor find a solution to audit problems; and

(III) If a discrepancy cannot be resolved, the department may recover or withhold applicable state or federal funds from the affected program.

(7) *The Single Audit Act Amendments of 1996*, 62 FR 35278-35319, and the Office of Management and Budget (OMB) *Uniform Grant Guidance*, 2 CFR Part 200, are hereby incorporated by reference and made a part of this rule as published by the Office of the Federal Register and are available by contacting the Office of Administration, Publications Office, Room 2200, New Executive Office Building, Washington, DC 20503. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480,

Jefferson City, MO 65102-0480 and at <https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials>. This rule does not incorporate any subsequent amendments or additions.

(8) *The Government Auditing Standards*, revised July 2018, issued by the Comptroller General of the United States, are hereby incorporated by reference and made a part of this rule as published by the U.S. Government Accountability Office, 441 G St. NW, Washington, DC 20548. Copies of these regulations can also be obtained from the Department of Elementary and Secondary Education, Division of Financial and Administrative Services, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 and at <https://dese.mo.gov/governmental-affairs/dese-administrative-rules/incorporated-reference-materials>. This rule does not incorporate any subsequent amendments or additions.

*AUTHORITY: sections 160.405, [RSMo Supp. 2013, section] 161.092, [RSMo Supp. 2014, and sections] 165.121, 167.201, and 178.430, RSMo [2000] 2016. Original rule filed April 28, 1982, effective Sept. 12, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed May 31, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, ATTN: Kari Monsees, Division of Financial and Administrative Services, PO Box 480, Jefferson City, MO 65102-0480, or by email to DESE.AdminRules@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

## Title 11—DEPARTMENT OF PUBLIC SAFETY Division 70—Division of Alcohol and Tobacco Control Chapter 2—Rules and Regulations

### PROPOSED AMENDMENT

**11 CSR 70-2.120 Retail Licensees.** The Division of Alcohol and Tobacco Control is removing previous sections (2), (3), (7), and (8); adding a new section (5); and renumbering as necessary.

*PURPOSE: This amendment removes unnecessary language and clarifies the expectations of retail licensees.*

*[(2) If any retail licensed premises has multiple licenses for separate businesses in the same building, then the building shall be partitioned in a manner that the partitions run from the front of the building to the rear of the building, from the ceiling to the floor and be permanently affixed to the ceiling, floor, front, and rear of the building in a manner as to make two (2) separate and distinct premises. Each premises shall have a separate entrance in front and different street addresses, so as to indicate sufficiently that the businesses are run separately and distinct from each other. In addition, the business maintained on each of the premises shall be manned and serviced by an entirely separate and distinct group of employees and there may be no buzzers, bells, or other wiring or speaking system connecting one (1) business with the other. Separate files, records, and accounts pertaining to the*

*businesses are to be maintained.*

*(3) Hotels and municipal or county airports or terminals or their lessees or concessionaires, leasing or having concession rights for the whole or a particular part of the facility, holding licenses authorizing the retail sale of intoxicating liquor by the drink for consumption on the premises where sold may maintain as many bars as they like on the licensed premises, provided that the places at which it is sold by the drink, in all respects, complies with the provisions of section 311.330, RSMo.*

*[(4)](2) No retailer may place or permit the placing of any object on or within the windows of premises covered by licenses which impedes or obstructs vision from the exterior into the interior.*

*[(5)](3) No holder of a retail license may use illuminated brand signs exclusively for illuminating purposes. Sufficient light must be maintained at all times to ensure clear visibility into the interior and within the interior of the premises.*

*[(6)](4) No licensee may operate, play, or permit the operation of any public speaking system transmitter, sound amplification device, or any other type of device, mechanical[,] or electronic, to emit or direct music, spoken words, sounds, or noise of any kind exceeding eighty-six (86) decibels on an A-weighted scale when measured across a residential property line fifty feet (50') or more from the source of the noise between the hours of 11:00 pm and 11:00 am. This regulation does not supersede any state or local laws or ordinances regulating noise in the area.*

**(5) Any premises for which a secondary retail license is sought must be the same as the premises covered by the primary retail license. This regulation shall not apply to catering or festival licenses.**

*[(7) Licenses authorizing the retail sale of intoxicating liquor, by the drink on Sunday between the hours of 9:00 a.m. and midnight may be issued to all qualified applicants as defined in section 311.293, RSMo.*

*(A) An applicant for a restaurant-bar license is to obtain a license authorizing the retail sale of intoxicating liquor by the drink as provided in either section 311.085, 311.090, or 311.095, RSMo.*

*(B) Premises for which a Sunday license is sought and the description at the premises on each license shall be exactly the same as those premises covered by an existing retail sale of intoxicating liquor by the drink license.*

*(8) Licensees may apply to the supervisor for an exemption to the limitation of five (5) licenses to sell intoxicating liquor at retail by drink for consumption on the premises.]*

*[(9)](6) Resorts. Licenses authorizing the retail sale of liquor by the drink may be issued to qualified applicants for resorts as defined in section 311.095, RSMo. Applicants for a resort license shall prepare and maintain records in order to substantiate the sales figures as presented in the certified statement, including[,] but not limited to[,] bank statements, cancelled checks, and invoices for food and intoxicating liquor purchases.*

**AUTHORITY:** section 311.660, RSMo [2016] Supp. 2021. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. For intervening history, please consult the **Code of State Regulations**. Amended: Filed May 27, 2022.

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

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

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at [Kristen.Cole@dps.mo.gov](mailto:Kristen.Cole@dps.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 70—Division of Alcohol and Tobacco Control  
Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.130 Retailer's Conduct of Business.** The Division of Alcohol and Tobacco Control is amending the purpose, sections (1), (2), (3), (5), (6), (7), (8), (10), (11) and (13); adding new sections (4), (12) and (14); removing previous sections (3) and (12); and renumbering as necessary.

**PURPOSE:** This amendment clarifies rules of conduct for retailers. Previous section (12) is being moved to II CSR 70-2.140.

**PURPOSE:** This rule establishes general rules [of] for conducting retail establishments.

(1) No [licensee] person holding a license for the retail sale of intoxicating liquor who has had his/her license suspended by order of the supervisor of [A]alcohol and [T]tobacco [C]control may sell, give away, or permit the consumption of any intoxicating liquor on or about the licensed premise, nor may s/he order or accept delivery of any intoxicating liquor during the period of time the order of suspension is in effect. Any licensee desiring to keep his/her premises open for the sale of food or merchandise during the period of suspension [should] shall display the order of suspension issued by the supervisor of [A]alcohol and [T]tobacco [C]control in a conspicuous place on the premises so that all persons visiting the premises may readily see the order of suspension and shall ensure that all places where intoxicating liquor is stored or dispensed on or about the licensed premises are closed in accordance with section 311.290, RSMo, for the duration of the suspension.

(2) No person holding a license for the retail sale of malt liquor by the drink may knowingly sell, give away, or serve upon the premises described in the license any glass, ice, water, soda water, phosphates, or any other kind of liquids to be used for the purpose of mixing intoxicating drinks and commonly referred to as set-ups; nor may any [licensee] person holding a license for the retail sale of malt liquor by the drink allow any person [while in or upon the premises covered by the license] on or about the licensed premise to possess or consume any intoxicating liquor other than malt liquor, or to pour into, mix with, or add intoxicating liquor other than malt liquor, to water, soda water, ginger ale, seltzer, or other liquid.

[(3) The holder of a license authorizing the retail sale of intoxicating liquor by the drink may sell liquor in any quantity, not for resale, but may not possess any spirituous liquor in any container having a capacity of more than one (1) gallon or any wine in any container having a capacity of more than fifteen and one-half (15 1/2) gallons.]

[(4)](3) No person holding a license [authorizing] for the retail sale

of intoxicating liquor may sell or deliver any **intoxicating** liquor to any person with knowledge or with reasonable cause to believe, that the person to whom the liquor is sold or delivered has acquired the liquor for the purpose of peddling or reselling it.

**(4) Any person holding a license for the retail sale of intoxicating liquor who delivers intoxicating liquor to a consumer at a location other than the licensed premises must ensure that delivery—**

**(A) Is not made during any hours when the licensed premises is required by law to be a closed place;**

**(B) Is not made to the licensed premises of a licensed retailer;**

**(C) Is made by an employee or agent of the licensee expressly authorized to deliver intoxicating liquor on the licensee's behalf; and**

**(D) Complies with all other provisions of Chapter 311, RSMo, and the regulations promulgated thereunder.**

**(5) No [licensee] person holding a license for the retail sale of intoxicating liquor may sell, give away, or possess any [spirituous] intoxicating liquor from or in any container when the intoxicating liquor is not that set out on the manufacturer's label on the container or does not have alcoholic content shown on the manufacturer's label.**

**(6) No [retail licensee] person holding a license for the retail sale of intoxicating liquor may bottle any intoxicating liquor from any barrel or other container nor may s/he refill any bottle or add to the contents of the bottle from any barrel or other container except where explicitly authorized by statute.**

**(7) [A licensee selling] Any person holding a license for the retail sale of intoxicating liquor by the drink, when requested to serve a particular brand or type of [spirituous liquor or beer] intoxicating liquor, may not substitute another brand or type of [spirituous liquor or beer] intoxicating liquor.**

**(8) No [retail licensee] person holding a license for the retail sale of intoxicating liquor may allow or cause any sign or advertisement pertaining to intoxicating liquor [or malt beverages] to be carried or transported upon any sidewalk or street of any municipality or upon any highway of the state. This provision is inapplicable to any legal sign or advertisement placed on a vehicle being used to deliver intoxicating liquor [or malt beverages].**

**(10) No person holding a license [authorizing] for the retail sale of intoxicating liquor may possess any intoxicating liquor which has not been purchased from, by, or through duly licensed wholesalers.**

**(11) No [holder of] person holding a license [to sell] for the retail sale of intoxicating liquor [by the drink], nor their employees or agents, may [give to, sell, or permit to be given to or sold to any on duty employee of the establishment operated by the licensee] consume any intoxicating liquor, in any quantity, [nor may s/he permit any patron of the establishment operated by him/her to give to any on duty employee any intoxicating liquor, in any quantity, or to purchase it for or drink it with any on duty employee, in the establishment or on premises of the licensee. This provision is inapplicable when the establishment is closed to the public, so long as the licensee is allowed to be open at that time pursuant to section 311.290, RSMo, or any other provisions of Chapter 311 relating to opening and closing] while on duty or acting within the scope of employment or agency relationship.**

**[(12) Improper Acts.**

**(A) At no time, under any circumstances, may any licensee or his/her employees immediately fail to prevent or suppress any violent quarrel, disorder, brawl, fight, or other improper**

**or unlawful conduct of any person upon the licensed premises, nor may any licensee or his/her employees allow any indecent, profane, or obscene literature or advertising material upon the licensed premises.**

**(B) In the event that a licensee or his/her employee knows or should have known, that an illegal or violent act has been committed on or about the licensed premises, they are obligated to immediately report the occurrence to law enforcement authorities and cooperate with law enforcement authorities and agents of the Division of Alcohol and Tobacco Control during the course of any investigation into an occurrence.]**

**(12) Any person holding a license for the retail sale of intoxicating liquor must have at least one (1) on duty employee at the establishment who is responsible for the sale, dispersion, and consumption of intoxicating liquor on or about the licensed premises whenever the establishment is not a closed place in accordance with section 311.290, RSMo.**

**(13) Lewdness. No [retail licensee or his/her employee] person holding a license for the retail sale of intoxicating liquor may permit in or upon his/her licensed premises—**

**(A) The performance of acts, or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;**

**(B) The displaying of any portion of the areola of the female breast;**

**(C) The actual or simulated touching, caressing, or fondling of the breast, buttocks, anus, or genitals;**

**(D) The actual or simulated displaying of the pubic hair, anus, vulva, or genitals;**

**(E) The permitting by a licensee of any person to remain in or upon the licensed premises who exposes to public view any portion of his/her genitals or anus; and**

**(F) The displaying of films, video programs, or pictures depicting acts, the live performances of which are prohibited by this regulation or by any other law.**

**(14) No person holding a license for the retail sale of intoxicating liquor may permit any person to smoke or imbibe medical marijuana on or about the licensed premises or create any non-public or quasi-public areas on or about the licensed premise for medical marijuana usage.**

**[(14)](15) In the event the premises of any licensee is declared to be off-limits by the military authorities, the licensee may not permit any member of the armed forces to be in or upon the premises covered by his/her license. Provided, this is only effective after the licensee is notified of the order by the supervisor of [A]alcohol and [T]tobacco [C]ontrol. Members of the Military Police or Shore Patrol are exempt from this provision.**

**AUTHORITY: section 311.660, RSMo [2016] Supp. 2021. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed May 27, 2022.**

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

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

**NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street,**

Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at [Kristen.Cole@dps.mo.gov](mailto:Kristen.Cole@dps.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 70—Division of Alcohol and Tobacco Control  
Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.140 All Licensees.** The Division of Alcohol and Tobacco Control is amending the purpose, sections (5), (6), (14), (16), (18), (19) and (21); adding new sections (1)–(4), (7)–(10), and (23)–(25); and renumbering as necessary.

*PURPOSE: This amendment clarifies the requirements for all licensees.*

*PURPOSE: This rule establishes additional rules for the conduct of business in [both retail and wholesale] all establishments licensed by the supervisor regarding inspection, record keeping, storage, employment, sales, gambling, [and] consumption by minors, and other aspects of enforcement of Chapter 311, RSMo.*

*[(1)] Licensees at all times are responsible for the conduct of their business and at all times are directly responsible for any act or conduct of any employee on the premises which is in violation of the Intoxicating Liquor Control Laws or the regulations of the supervisor of alcohol and tobacco control.*

**(1) Licensees are at all times responsible for satisfying and maintaining the qualifications for licensure in section 311.060, RSMo. Failure to do so may result in disciplinary action by the state supervisor.**

**(2) Licensees are at all times responsible for ensuring that the following individuals understand their responsibilities and obligations under Chapter 311, RSMo, and the regulations promulgated thereunder: the licensee; the managing officer, if applicable; any owners, shareholders, members, or partners; or any employee or agent who serves, sells, distributes, or furnishes intoxicating liquor on behalf of the licensee; and any third parties hired, contracted, or otherwise authorized by the licensee to provide services or entertainment to customers and patrons.**

**(3) Licensees are at all times responsible for the conduct of their business and at all times are directly responsible for any act or conduct of any employee or agent on the premises or acting within the scope of their employment or agency relationship, and for any third parties hired, contracted, or otherwise authorized by the licensee to provide services or entertainment to customers or patrons which is in violation of the Liquor Control Law or the regulations of the supervisor of alcohol and tobacco control.**

**(4) Improper Acts.**

**(A) At no time, under any circumstances, may any licensee or his/her employees immediately fail to prevent or suppress any violent quarrel, disorder, brawl, fight, or other improper or unlawful conduct of any person upon the licensed premises, nor may any licensee or his/her employees allow any indecent, profane, or obscene literature or advertising material upon the licensed premises.**

**(B) In the event that a licensee or his/her employee knows or should have known that an illegal or violent act has been committed on or about the licensed premises, they are obligated to**

**immediately report the occurrence to law enforcement authorities and cooperate with law enforcement authorities and agents of the Division of Alcohol and Tobacco Control during the course of any investigation into an occurrence.**

**(C) This regulation applies to all areas on or about the licensed premise, including areas that have been rented to or reserved for temporary use by third parties.**

*[(2)](5) The licensed premises and all portions of the building[s] of the premises, including all rooms, cellars, outbuildings, passageways, closets, vaults, yards, attics, and all buildings used in connection with the operations carried on under the license and which are in the licensee's possession or under its control, and all places where the licensee keeps or has liquor stored, may be inspected by the supervisor of alcohol and tobacco control and his/her agents at any time to ensure compliance with and enforcement of the provisions of Chapter 311, RSMo, and the regulations promulgated thereunder. Licensees shall cooperate fully with the agents during the inspections.*

*[(3)](6) All licensees shall keep complete and accurate records pertaining to their businesses. Such records include a complete and accurate record of all purchases and of all sales of intoxicating liquor made by them. These records are to include the names and addresses of all persons from whom the liquor is purchased, the dates, kinds, and quantities of the purchases and the dates and amounts of payments on account. They also should include the daily gross returns from sales.*

**(A) All licensees are to keep all records pertaining to their business, including but not limited to files[,]; books[, records,]; papers[,]; state, county and city licenses[,]; and accounts and memoranda pertaining to the business conducted by them, on the licensed premises. [The supervisor of alcohol and tobacco control or his/her duly authorized agents and auditors, may inspect, audit, or copy such records at any time.]**

**(B) All records required to be kept by law or rule of the supervisor shall be kept and preserved for a period of two (2) years from the date the record was made, unless otherwise specified in statute.**

**(C) The supervisor of alcohol and tobacco control or his/her duly authorized agents and auditors, may inspect, audit, or copy such records at any time.**

**(7) Whenever units of measurement are set forth in the Liquor Control Law or the regulations promulgated thereunder, they are to be interpreted in accordance with their common usage in the imperial system and the metric system.**

**(8) Only one (1) person, partnership, or entity may be licensed by the supervisor to operate out of any particular premises. Alternating proprietorships are prohibited.**

**(9) If any premises has multiple licenses for separate businesses in the same building or complex, then the building or complex shall be partitioned in a manner that the partitions run from the front of the building to the rear of the building, from the ceiling to the floor and be permanently affixed to the ceiling, floor, front, and rear of the building in a manner as to make separate and distinct premises for each licensee. Each licensee shall have a separate entrance in front and different street addresses, so as to indicate sufficiently that the businesses are run separately and distinct from each other. In addition, the business maintained on each of the premises shall be manned and serviced by an entirely separate and distinct group of employees and there may be no buzzers, bells, or other wiring or speaking system connecting one (1) business with the other. Separate files, records, and accounts pertaining to the businesses are to be maintained.**

**(10) If the division sends a written inquiry or request to a licensee**

at its address currently registered with the division, the licensee must respond in writing within thirty (30) days of the date of the division's written inquiry or request. Failing to provide a written response, withholding records, documents, or information relevant to the division's inquiry or request, or providing false information on a written response may result in disciplinary action.

[(4)](11) No licensee may buy or accept any warehouse receipt unless the seller or donor of the receipt first acquires the written permission of the supervisor of alcohol and tobacco control to sell or give away the receipt.

[(5)](12) No licensee may have consigned to him/her, receive or accept the delivery of, or keep in storage any intoxicating liquors upon any premises other than those described in his/her license without first having obtained the written permission of the supervisor of alcohol and tobacco control.

[(6)](13) No wholesale or retail licensee may sell or possess any spirituous liquor in any package or container holding less than fifty (50) milliliters (1.7 ounces) or more than one (1) gallon. No wholesale or retail licensee may sell or possess any wine in any package or container holding less than one hundred (100) milliliters (3.4 ounces) or more than fifteen and one-half (15 1/2) gallons.

[(7)](14) *[Licensees who]* **Requirements for employing minors—**

(A) **Licensees who [D]desire** to employ persons under the age of twenty-one (21) as authorized by section 311.300, RSMo, may apply to the supervisor using forms provided for that purpose; and

(B) *[Employ persons under the age of twenty-one (21) years as authorized by section 311.300, RSMo, who do not have at least fifty percent (50%) of the gross sales consisting of nonalcoholic sales may be permitted if an employee twenty-one (21) years of age or older is on the licensed premises during all hours of operation.]* **Licensees who employ persons under the age of eighteen (18) may not allow those employees to sell, serve, or dispense, or assist in the sale, service, or dispensing of intoxicating liquor. Employees under the age of eighteen (18) may not stock intoxicating liquor, arrange intoxicating liquor displays, accept payment for intoxicating liquor, sack intoxicating liquor for carryout, or otherwise handle intoxicating liquors.**

[(8)](15) No person licensed by the supervisor of alcohol and tobacco control may allow upon his/her licensed premises any self-service, coin-operated, mechanical devices, or automatic dispensers for the purpose of selling or dispensing intoxicating liquor except as pursuant to section 311.205, RSMo.

[(9)](16) Any licensee may sponsor or allow promotional games, **raffles, and similar contests** to be conducted upon his/her licensed premises, provided that—

(A) The consumption of intoxicating liquor *[should]* shall not be related to or an element of a promotional game, **raffle, or similar contest** either directly or indirectly;

(B) Intoxicating liquor may not be a prize of a promotional game, **raffle, or similar contest** either directly or indirectly;/.

1. Any licensee conducting a promotional game, raffle, or similar contest must notify any winners and recipients of cash prizes, gift cards, coupons, discounts, or other similar prizes that those prizes exclude the purchase of intoxicating liquor.

2. No licensee may knowingly accept cash prizes, gift cards, coupons, discounts, or other similar prizes from a promotional game, raffle, or similar contest hosted by a licensee for purchases of intoxicating liquor;

(C) The conduct or playing of games on premises approved by the Missouri Gaming Commission to conduct games in accordance with Chapter 313, RSMo, does not constitute gambling or gambling activ-

ities when the games are conducted in accordance with Chapter 313, RSMo, and the activity, by itself, does not constitute a violation of this regulation;

(D) The sale of state lottery tickets or shares on premises licensed by the lottery commission to sell lottery tickets or shares to the public does not constitute gambling or gambling devices when conducted in accordance with Chapter 313, RSMo, and the activity, by itself, does not constitute a violation of this regulation; *[and]*

(E) The giving of door prizes or other gifts by lot or drawing after payment of a price by members or guests of a charitable organization which has obtained an exemption from payment of federal income taxes as provided in Section 501(C)(3) of the Internal Revenue Code of 1954, does not constitute gambling or gambling devices when conducted on a licensed premises by the charitable organization./.; **and**

**(F) The promotional game, raffle, or similar contests complies with all other aspects of Missouri law.**

[(10)](17) No licensee may employ on or about the licensed premises any person who has been convicted since the ratification of the twenty-first amendment of the *Constitution of the United States* of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor; or any person who has had a license revoked under Chapter 311, RSMo, unless five (5) years have passed since the revocation of the license.

[(11)](18) No licensee, his/her agent, or employee may sell or **supply** intoxicating liquor in any place other than that designated on the license or at any other time or in any other manner except as authorized by the license. **Order of and payment for any intoxicating liquor must be made directly to the licensee.**

[(12)](19) No licensee, his/her agent, or employee may permit anyone under the age of twenty-one (21) years of age to consume or **possess** intoxicating liquor upon or about his/her licensed premises.

[(13)](20) No licensee, his/her agent, or employee may allow upon or about the licensed premises solicitation for the purposes of prostitution or other immoral activities by any person.

[(14)](21) No licensee, his/her agent, or employee may possess, store, sell or offer for sale, give away, or otherwise dispose of upon or about the licensed premises or permit any person upon or about the licensed premises to possess, store, sell or offer for sale, give away, or otherwise dispose of any controlled substance as defined in Chapters 195 and 579, RSMo.

[(15)](22) No licensee, his/her agent, or employee may mix or pour, or permit to be mixed or poured, any intoxicating liquor directly into any person's mouth upon or about the licensed premises.

**(23) No licensee shall use exterior signage or advertising that does not accurately reflect the licensee's legal name, business name or d/b/a, or trade name as stated on the state liquor license or on file with the division.**

**(24) Any licensee wishing to appeal any disciplinary action imposed by the state supervisor in accordance with section 311.691, RSMo, must do so before the effective date of the disciplinary order.**

**(25) The expiration, cancellation, revocation, reversion, surrender, or termination in any manner of a license does not prevent the initiation or completion of any disciplinary proceeding against the licensee for actions that occurred prior to the expiration, cancellation, revocation, reversion, surrender, or termination in any manner of the license.**

*AUTHORITY: section 311.660, RSMo [2016] Supp. 2021. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed May 27, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 70—Division of Alcohol and Tobacco Control  
Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.150 Tax Credits and Refunds.** The Division of Alcohol and Tobacco Control is amending the title and purpose of this regulation. The division is also amending section (1), adding new section (2), removing sections (4) and (5), and renumbering as necessary.

*PURPOSE: This amendment clarifies that excess tax payments are credited, and it gives a time limit for tax credit and refund requests.*

*PURPOSE: This rule establishes procedures for refund of unused licenses and receiving tax credits on intoxicating liquor [and non-intoxicating beer].*

**(1) Any licensee who pays more taxes on intoxicating liquor than what they actually owed may request a tax credit to apply to future payments of taxes on intoxicating liquor.**

*[(1)](A) Every licensee who [claims a refund] requests a tax credit for Missouri tax on intoxicating liquor [or a refund for Missouri tax on malt liquor] shall present [claims] requests to the supervisor of [A]alcohol and [T]tobacco [C]control and attach to the [claim] request a complete statement, under oath, as to the facts supporting the [claim] request.*

*[(2)](B) After the [claim] tax credit request is accepted for audit by the supervisor and the claimant has been notified of the acceptance, then an inspection can be made by the supervisor or his/her agents. The agents shall make an affidavit that they inspected the intoxicating liquors [and/or malt liquors] denoting in the affidavit the brand, number of the containers or cases, and the disposition to be made of the spirituous liquor, wine, or malt liquor.*

*[(3)](C) Under no circumstances shall [refund claims] tax credit requests be accepted by the supervisor if the sole reason for their presentation to him/her is because the claimant has purchased beyond his/her capacity to sell.*

**(D) The supervisor shall not accept tax credit requests filed more than ninety (90) days after the date listed on the underlying invoice(s) for the request.**

**(E) The supervisor reserves the right to refuse any or all tax credit requests presented.**

*[(4) The supervisor shall not accept claims for refunds for unused portions of permits.*

*(5) The supervisor reserves the right to refuse to accept for audit any or all claims presented.]*

**(2) Any person who obtains a liquor license, and does not use the license at all, may request a refund of license fees.**

**(A) The supervisor shall not accept partial refund requests for unused portions of licenses.**

**(B) The supervisor shall not accept refund requests filed more than ninety (90) days after the expiration date on the license.**

*AUTHORITY: section 311.660, RSMo [2016] Supp. 2021. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. Amended: Filed Oct. 10, 2018, effective May 30, 2019. Amended: Filed May 27, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 70—Division of Alcohol and Tobacco Control  
Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.190 Unlawful Discrimination and Price Scheduling.** The Division of Alcohol and Tobacco Control is amending new sections (3), (4), (5), (7), (9), (10) and (12); adding new section (2); and renumbering as necessary.

*PURPOSE: This amendment provides cleanup of this rule and adds a definition for substantively identical products.*

**(2) For the purpose of this rule, substantively identical products refers to products that are indistinguishable from one another and products where the only distinguishing factors are unlikely to impact the fair market value of the products.**

*[(2)](3) Product Pricing Information.*

*(A) The product pricing information is to be made available to retailers five (5) days prior to the last day of the month and include the brand number, brand or trade name, capacity of individual packages, nature of contents, age and proof, the per bottle and per case price, the number of bottles contained in each case, and the size thereof.*

*(B) Supplemental pricing information is to be made available to wholesalers when a new product, new size, or new proof is added by a wholesaler during the month and not subject to change before the first of the month when regularly filed product pricing information is effective. A wholesaler is allowed to sell such items to retailers immediately upon production of such supplemental information. Supplemental pricing information includes the brand number, brand or trade name, capacity of individual packages, nature of contents, age and proof, the per bottle and per case price, the number of bottles contained in each case, and the size thereof.*

(C) The wholesaler may sell at any price for any item as long as it is sold above their cost and they sell **all substantively identical products** at the same price to all retailers as indicated on their product pricing information.

(D) Close out items should be identified as such on the product pricing information that is made available to retailers at prices which may be below the wholesaler's costs for not less than six (6) consecutive months during which time the wholesaler may not purchase further inventory. The wholesaler should not use close out pricing as an inducement for retailers to purchase other intoxicating liquors.

**[(3)](4) Discounts.**

(A) The wholesaler may grant any discount up to one (1) per centum for quantity of **spirituous** liquor and wine and one (1) per centum for payment on or before a certain date.

(B) Quantity discounts. A quantity discount may be granted only for quantities of two (2) or more. If a price is listed for bottles only, then a quantity discount may be allowed on quantities of two (2) or more bottles. If a price is listed for both bottles and cases, then a quantity discount may be allowed only on quantities of two (2) or more unbroken cases. Quantity discounts may be graduated but not exceed the maximum one percent (1%).

(C) Discounts for time of payment. A discount for time of payment may be granted only for 1) payment for time of delivery, 2) payment on or before ten (10) days from the date of delivery, or 3) payment on or before fifteen (15) days from the date of delivery.

(D) The combination of discounts to be posted on the product pricing information are as follows: No discount, one percent (1%) for time of payment, one percent (1%) for quantity discounts, or one percent (1%) for time of payment and one percent (1%) for quantity.

(E) No person licensed to sell *[intoxicating]* **spirituous** liquor and wine at retail may accept any discount, rebate, free goods, allowances, or other inducement from any wholesalers except the discount for payment and quantity discount on or before a certain date.

**[(4)](5) Case Size.** For the purpose of this regulation, a case of *[intoxicating]* **spirituous** liquor or a case of wine is declared to be a cardboard, wooden, or other container, containing bottles of equal size filled with *[intoxicating]* **spirituous** liquor or wine of the same brand, age, and proof. The following table depicts the number of bottles considered to be a case of various bottle sizes for both the English and metric systems of measure, for pricing purposes:

Size of Bottle	Number of Bottles per Case
Less than <i>[6.3]</i> 8 oz.	48, 60, 96, 120, 144, 192 or 240
8 oz. up to, but not including, 10 oz.	48
10 oz. up to, but not including, 21 oz.	24
21 oz. up to, but not including, 43 oz.	12
43 oz. up to, but not including, 85 oz.	6
85 oz. up to, <i>[and]</i> but not including, 128 oz.	3, 4, <i>[or]</i> 6
<b>128 oz. or more</b>	<b>2</b>

(A) The Universal Coding of Alcoholic Beverages for Products by container size is to be used to code the bottle size. An item is declared to be either a bottle or a case of *[intoxicating]* **spirituous** liquor or wine scheduled as required;

(B) All sizes less than one-half (1/2) pint or eight (8) ounces under the English system of measure are defined as miniatures. Under the metric system of measure, miniatures are defined as fifty (50) milliliters (1.7 ounces) for spirituous liquors and one hundred (100) milliliters (3.4 ounces) for vinous liquors. Acceptable case sizes for miniatures are 240, 192, 144, 120, 96, 60, and 48 bottles. Miniatures may be sold in only one (1) case size for each bottle size sold; and

(C) If *[an intoxicating]* a **spirituous** liquor or wine product is

packaged by the manufacturer in a bottle quantity for that bottle size exceeding one (1) **bottle** but either more or less than the case quantity for the bottle size listed in section (4), a wholesaler may sell that package for a total price that reflects the same per bottle price as the per bottle price in the posted case price, if the wholesaler's invoice specifies the quantity in the package.

**[(5)](6)** The price to retailers, except retailers operating railroad cars, should include federal custom duties, internal revenue taxes, state excise tax, bottling and handling charges, and the cost of delivery to the retailer. The price to retailers operating railroad cars may be scheduled at a price "ex state excise tax," but shall include all other taxes and costs computed in prices to other retailers. No charge(s) may be made in addition to the price except that on past due accounts there may be imposed a finance (interest) charge in accord with that permitted by law. Provided, however, that if a wholesaler elects to impose a finance (interest) charge on past due account the charge shall be of uniform rate to all retailers and imposed on all retailers who have past due accounts.

**[(6)](7) Delivery.** Any brand of **spirituous** liquor or wine sold to a retailer is to be shipped to and received by the retailer at the price in effect for that calendar month in which the delivery occurs. Delayed shipment orders may be taken the last five (5) days of the month and delivered in the first five (5) days of the following month.

**[(7)](8) Returns.** Merchandise returns exceeding seven (7) days from delivery date may not be accepted for return from a retailer, except pursuant to a court order or with prior approval from the supervisor for any of the following reasons:

(A) The merchandise delivered does not conform to the merchandise ordered, whether an error was made at the time the order was taken or when the merchandise was delivered. Requests to return merchandise delivered in error should be submitted to the supervisor within thirty (30) days of the original invoice; or

(B) The retailer is abandoning the retail liquor business.

**[(8)](9) Breakage, Samples, Expenses.** As part of its regular books and records, each wholesaler licensed to sell *[intoxicating]* **spirituous** liquor or wine is required to keep a monthly record of all allowances for breakage containing the name, address, and license number of the customer, the amount of breakage allowance, and the date and number of the invoice of sale for which allowance is given. No allowance for breakage may be given unless the broken bottle is returned to the seller within seventy-two (72) hours after delivery. Broken bottles are to be kept available on the wholesaler's licensed premises for inspection by representatives of the supervisor and may not be removed from the licensed premises or destroyed *[only]* **except** with permission from the supervisor.

**[(9)](10) Posting of Contraband Spirituous Liquors and Wines Purchased [F]rom Supervisor.** Bottles or cases of **spirituous** liquor or wine as described in section (4) which have been declared contraband and purchased by a wholesaler from the supervisor or the officer who seized the same under the provisions of sections 311.820 and 311.840, RSMo, or by a wholesaler from a wholesaler who so purchased the same, may be posted by the wholesaler at prices less than other **spirituous** liquors and wines of the same brand, age, and proof. When the **spirituous** liquors and wines are so posted, the pricing is to be accompanied by a writing on which the **spirituous** liquors and wines are exactly described and the quantity(ies) available for purchase set forth and upon sale of all or any part of the quantity a copy of the invoice shall be sent to the supervisor upon the day it is prepared. Only **spirituous** liquors and wines so purchased by a wholesaler may be sold at the posted prices.

**[(10)](11) Discriminatory Agreements.**

(A) No person holding a license as a manufacturer-solicitor or

outstate solicitor of spirituous liquor or wine may enter into or participate in any combination or agreement with any person holding a license as a wholesaler for the sale of spirituous liquor or wine which restrict the customers to whom the wholesaler may sell merchandise which s/he owns.

(B) No person holding a license as the wholesaler for the sale of spirituous liquor or wine may enter into or participate in any combination or agreement with any person holding a license as a manufacturer-solicitor or outstate solicitor of spirituous liquor or wine, which restricts the customers to whom the wholesaler may sell merchandise which s/he owns.

[(11)](12) Universal Numeric Codes on Invoices. The Universal Numeric Code for Alcoholic Beverages and Missouri's brand number is to be used to code all wines on all invoices written by any manufacturer, vintner, solicitor, and/or wholesaler licensed by the Division of Alcohol and Tobacco Control of Missouri; this includes invoices written by wholesalers to retail licensee. In addition, the descriptive data for **spirituous** liquors and wines includes the age or vintage, proof or percent of alcohol by weight, class and type, and brand name. Missouri wholesalers are to include brand name, age, and proof for spirituous liquors and vintage for wines on all invoices to retailers when the vintage creates a cost differential for the same type of wine. Any failure of any person, firm, or corporation licensed under any provisions of Chapter 311, RSMo, to comply in all respects with the rules and any violation by any licensee of these rules may be deemed to be cause for the revocation or suspension of the license of the offending licensee.

*AUTHORITY: section 311.660, RSMo [2016] Supp. 2021. This version of rule filed Dec. 22, 1975, effective Jan. 1, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed May 27, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 70—Division of Alcohol and Tobacco Control  
Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.280 [Guidelines] Standards for Using Minors in Intoxicating Liquor Investigations.** The Division of Alcohol and Tobacco Control is amending the title, purpose, and section (1); adding new section (2); and deleting previous section (2).

*PURPOSE: This amendment lays out the standards for the use of minors in on-site as well as off-site investigations.*

*PURPOSE: This rule establishes [guidelines] standards for the use of minors in intoxicating liquor [or nonintoxicating beer] investigations by a state, local, municipal, or other local law enforcement*

*authority.*

(1) **On-site Investigations.** The following are [guidelines] standards for the use of minors in intoxicating liquor investigations by a state, county, municipal, or other local law enforcement authority where intoxicating liquor is purchased by the minor on or about the licensed premises:

(A) The minor **must** be eighteen (18) or nineteen (19) years of age;

(B) The minor **must** have a youthful appearance [and the minor, if a male,]. **The minor must** not have facial hair or a receding hairline; if a female, not], or wear excessive makeup or excessive jewelry. *The minor, male or female, not], or wear headgear that will obstruct a clear view of the face or hairline. If the minor is wearing headgear or facial coverings required by law, executive order, or any official mandate from the city, county, state, or federal government, or if the business requests the minor to wear certain headgear or facial coverings, the minor shall be permitted to wear such item(s), but must temporarily remove said item(s) upon request by the seller of the intoxicating liquor so as to provide a clear view of the face and hairline;*

(C) The minor **must** carry his or her own **valid government-issued** identification showing the minor's correct date of birth and, upon request, produce such identification to the seller of the intoxicating liquor at the licensed establishment; and the state, county, municipal, or other local law enforcement agency [shall] **conducting the investigation must** search the minor prior to the [operation] investigation to ensure that the minor is not in possession of any other valid or fictitious identification;

(D) The minor [shall] **must** answer truthfully any questions about his or her age and **must** not remain silent when asked questions regarding his or her age, nor misrepresent anything in order to induce a sale of intoxicating liquor;

(E) The state, county, municipal, or other local law enforcement agency [are to] **must** make a copy of the minor's valid identification showing the minor's correct date of birth;

(F) [Any attempt by such minor to purchase intoxicating liquor products be videotaped or audiotaped with equipment sufficient] **The state, county, municipal, or other local law enforcement agency conducting such investigations must videotape or audiotape any attempt by the minor to purchase intoxicating liquor in a good faith effort** to record all statements made by the minor and the seller [of the intoxicating liquor product];

(G) [The minor is not to be employed by the] **No** state, county, municipal, or other local law enforcement agency **may employ minors** on an incentive or quota basis;

(H) If a violation occurs, the state, county, municipal, or other local law enforcement agency [makes] **must make** reasonable efforts to confront the seller in a timely manner, and within forty-eight (48) hours, contact or take all reasonable steps to contact the owner or manager of the establishment;

(I) The state, county, municipal, or other local law enforcement agency [maintains] **must maintain** records of each visit to an establishment where a minor is used by the [state, county, municipal, or other local law enforcement] agency **during an intoxicating liquor investigation** for a period of at least one (1) year following the [incident] investigation regardless of whether a violation occurs at each [visit] investigation, and such records [shall] **must**, at a minimum, include the following information:

**1. An Information and Consent document, completed by the minor in advance of the investigation, on the division form or a similar form approved by the division;**

**2. An Alcohol and Compliance Buy Checklist, signed by the minor and the peace officer responsible for reviewing the checklist with said minor, on the division form or a similar form approved by the division;**

[1.3]. A photograph of the minor taken immediately prior to the [operation] investigation;

[2.]4. A copy of the minor's valid identification, showing the minor's correct date of birth;

[3. *An Information and Consent document, completed by the minor in advance of the operation;*

4. *The name of each establishment visited by the minor, and the date and time of each visit; and]*

5. The audiotape or videotape specified in subsection (1)(F) above; and

6. A written Minor Report on the division form or a similar form approved by the division./;];

(J) The state, county, municipal, or other local law enforcement agency *[provides]* must provide pre-recorded currency to the minor, to be used in the *[operation]* investigation. If a violation occurs, said agency should attempt to recover the pre-recorded funds tendered to the seller, or an amount equal thereto, and return any change tendered to the minor, and should further secure and inventory any intoxicating liquor product(s) purchased; and

(K) The state, county, municipal, or other local law enforcement agency, in advance of the *[operation]* investigation, must train the minor who will be used in the *[operation]* investigation. Training, at a minimum, *[includes]* must include:

1. Instruction to enter the designated establishment and to proceed immediately to attempt to purchase or be supplied with an intoxicating liquor product/s/;

2. Instruction to provide the minor's valid identification upon a request for identification by the seller;

3. Instruction to answer truthfully all questions about age;

4. Instruction not to lie to the seller to induce a sale of intoxicating liquor products;

5. Instruction on the use of pre-recorded currency; and

6. Instruction on the other matters set out in this regulation.

*[(2) The supervisor of Alcohol and Tobacco Control shall not participate with any state, county, municipal, or other local law enforcement agency, nor discipline any licensed establishment when any state, county, municipal, or other law enforcement agency chooses not to follow the supervisor's permissive standards.]*

(2) Off-site Investigations. The following are standards for the use of minors in intoxicating liquor investigations by a state, county, municipal, or other local law enforcement authority where intoxicating liquor is delivered or shipped to the minor at a location other than the licensed establishment:

(A) For the purposes of this section, licensees are at all times responsible for the actions and conduct of any employees, agents, or third parties delivering or shipping intoxicating liquor on the licensee's behalf pursuant to an order by internet, telephone, mail, or any method of ordering other than in person on the licensed premises;

(B) The minor must be eighteen or nineteen years of age;

(C) The minor must have a youthful appearance. The minor must not have facial hair or a receding hairline, or wear excessive makeup or excessive jewelry, or wear headgear that will obstruct a clear view of the face or hairline. If the minor is wearing headgear or facial coverings required by law, executive order, or any official mandate from the city, county, state, or federal government, the minor shall be permitted to wear such item(s), but must temporarily remove said item(s) upon request by the person delivering or shipping the intoxicating liquor so as to provide a clear view of the face and hairline;

(D) The minor must carry his or her own valid government-issued identification showing the minor's correct date of birth and, upon request, produce such identification to the person delivering or shipping the intoxicating liquor; and the state, county, municipal, or other local law enforcement agency conducting the investigation must search the minor prior to the

investigation to ensure that the minor is not in possession of any other valid or fictitious identification;

(E) The minor must answer truthfully any questions about his or her age and must not remain silent when asked questions regarding his or her age, nor misrepresent anything in order to induce a delivery or shipment of intoxicating liquor;

(F) The state, county, municipal, or other local law enforcement agency must make a copy of the minor's valid identification showing the minor's correct date of birth;

(G) The state, county, municipal, or other local law enforcement agency conducting such investigations must videotape or audiotape the delivery or shipment of the intoxicating liquor in a good faith effort to record all statements made by the minor and the person delivering or shipping the intoxicating liquor;

(H) No state, county, municipal, or other local law enforcement agency may employ minors on an incentive or quota basis;

(I) If a violation occurs, the state, county, municipal, or other local law enforcement agency must make reasonable efforts to confront the person who delivered or shipped the intoxicating liquor product(s) in a timely manner, and within forty-eight (48) hours, contact or take all reasonable steps to contact the owner or manager of the establishment that sold the intoxicating liquor;

(J) The state, county, municipal, or other local law enforcement agency must maintain records of each delivery or shipment where a minor is used by the agency during an intoxicating liquor investigation for a period of at least one (1) year following the investigation, regardless of whether a violation occurs at each investigation, and such records must, at a minimum, include the following information:

1. An Information and Consent document, completed by the minor in advance of the investigation, on the division form or a similar form approved by the division;

2. An Alcohol and Compliance Buy Checklist, signed by the minor and the peace officer responsible for reviewing the checklist with said minor, on the division form or a similar form approved by the division;

3. A photograph of the minor taken immediately prior to the investigation;

4. A copy of the minor's valid identification, showing the minor's correct date of birth;

5. The audiotape or videotape specified in subsection (2)(H) above; and

6. A written Minor Report on the division form or a similar form approved by the division.

(K) The state, county, municipal, or other local law enforcement agency must place the order. The agency does not have to use the minor's information when placing the order. Regardless of whether a violation occurs, said agency should attempt to recover any funds tendered to the seller and the person delivering or shipping the intoxicating liquor, or an amount equal thereto, and should further secure and inventory any intoxicating liquor delivered or shipped; and

(L) The state, county, municipal, or other local law enforcement agency, in advance of the investigation, must train the minor who will be used in the investigation. Training, at a minimum, must include:

1. Instruction to respond to the designated delivery or shipment spot and proceed immediately to attempt to take possession of or be supplied with the intoxicating liquor product(s);

2. Instruction to provide the minor's valid identification upon a request for identification by the person delivering or shipping the intoxicating liquor;

3. Instruction to answer truthfully all questions about age;

4. Instruction not to lie to the person delivering or shipping the intoxicating liquor to induce a delivery or shipment of intoxicating liquor products;

5. Instructions on the use of pre-recorded currency; and

6. Instruction on the other matters set out in this regulation.

*AUTHORITY: section 311.722, RSMo 2016. Original rule filed Jan. 13, 2006, effective Aug. 30, 2006. Amended: Filed Oct. 10, 2018, effective May 30, 2019. Amended: Filed May 27, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Alcohol and Tobacco Control at 1738 East Elm Street, Lower Level, Jefferson City, MO 65101, or by facsimile at (573) 526-4369, or via email at Kristen.Cole@dps.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

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

**PROPOSED AMENDMENT**

**13 CSR 70-3.320 Electronic Visit Verification (EVV).** The division is amending sections (1), (2), and (3).

*PURPOSE: This amendment clarifies the requirement to identify direct care workers through entry of the caregiver's respective Family Care Safety Registrant number. This amendment also specifies that the type of service performed is identified through the collection of designated procedure codes and associated modifiers.*

(1) Definitions.

(L) "Services" shall mean all Medicaid-funded services, as **identified by procedure code**, or other service required by the state to use EVV including:

1. Advanced Personal Care;
2. Chore Services;
3. Consumer-Directed/Self-Directed Personal Care;
4. Homemaker Services;
5. In-Home Respite authorized by the Department of Health and Senior Services;
6. Personal Care;
7. Any of the above services reimbursed by a managed care organization; and
8. Any services where federal or state statute or rule requires EVV, but not specifically listed above.

(2) Provider Agency Responsibilities regarding Electronic Visit Verification.

(B) Provider agencies and self-directed fiscal agents who deliver or administer services through Medicaid funding shall utilize EVV **and shall use the procedure code and associated modifiers** for all visits. EVV requirements are applicable to services authorized through the Department of Health and Senior Services and the Department of Mental Health.

(F) **Provider agencies shall identify all direct care workers by entering the caregiver's respective Family Care Safety Registrant number as assigned per 19 CSR 30-80.**

[(F)](G) Manual visit entry shall be utilized only when the EVV system is unavailable or when exigent circumstances, documented by the provider agency, make usage of the system impossible or impractical. Justification documentation must support any instance of

human error and such errors must be readily identifiable. Repeated instances of human error are subject to audit. The provider agency shall enter justification documentation into the EVV system, which may include an editor program. Information shall include the date and time of the manual entry, the reason for the entry, and the identification of the person making the entry. The provider agency must pass a manual entry indicator and reason for manual entry to the aggregator solution within documentation timeframes established by the MO Medicaid Audit and Compliance Unit.

[(G)](H) Any adjustment or exception requires the provider agency to enter justification documentation into the EVV system, which may include an editor program, within documentation timeframe requirements established by 13 CSR 70-3.030(3)(A)38. Information must include the date and time of the entry and/or update, the reason for the entry and/or update, and the identification of the person making the entry and/or update.

[(H)](I) Provider agencies shall report any suspected falsification of EVV data to the Missouri Medicaid Audit and Compliance Unit via the standard reporting process as defined by the Missouri Medicaid Audit and Compliance Unit within two (2) business days of discovery.

[(I)](J) All provider agencies must interface EVV data with an aggregator solution designated by the Department of Social Services (DSS) in a format and at a frequency specified by DSS.

(3) Electronic Visit Verification Vendor Responsibilities upon Implementation of an Aggregator Solution.

(L) At a minimum, the EVV system shall meet the following requirements:

1. Record the type of service performed **through collection of the designated procedure code and associated modifiers**, including individual tasks as authorized or progress notes dependent on requirements of the authorizing program;

2. Document and verify the MO HealthNet participant's identity, either by a unique number assigned to the MO HealthNet participant, biometric recognition, or through alternative technology;

3. Document and verify the direct care worker by *[the assignment of a personal identification number unique to the direct care worker or through alternative technology]* **the collection of the Family Care Safety Registrant number as assigned per 19 CSR 30-80;**

4. Document the date of services delivered;

5. Document the time services begin to the minute;

6. Document the time services end to the minute; and

7. Document the location in which the services began and ended.

*AUTHORITY: sections 208.201 and 660.017, RSMo 2016. Original rule filed July 9, 2020, effective Jan. 30, 2021. Amended: Filed May 23, 2022.*

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

*PRIVATE COST: This proposed amendment will cost private entities between zero dollars (\$0) and ten thousand dollars (\$10,000). There is a wide range of capability among EVV vendors. Some may be able to accommodate the acceptance and transfer of Family Care Safety Registry data at no additional expense, others may need to update coding or add a specialized field. The range indicated includes both scenarios, with the potential cost lying anywhere in between.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be*

*received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PRIVATE COST**

- I. Department Title:** Title 13 - Social Services
- Division Title:** Division 70 - MO HealthNet Division
- Chapter Title:** Chapter 3 – Conditions of Provider Participation, Reimbursement and Procedure of General Applicability

<b>Rule Number and Title:</b>	13 CSR 70-3.320 Electronic Visit Verification
<b>Type of Rulemaking:</b>	Amendment

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate of the number of entities by class which would likely be affected by the adoption of the rule:</b>	<b>Classification by types of the business entities which would likely be affected:</b>	<b>Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:</b>
<b>1,500</b>	<b>Personal Care Service Providers</b>	<b>\$0</b>
<b>60</b>	<b>Electronic Visit Verification Vendors</b>	<b>\$300,000</b>

**III. WORKSHEET**

Any cost related to development, modification, or testing of Electronic Visit Verification (EVV) systems shall be the responsibility of the EVV vendor. Because of this, there is no anticipated cost to personal care service providers.

**IV. ASSUMPTIONS**

There is a wide range of capability among EVV vendors. Some may be able to accommodate the acceptance and transfer of FCSR data at no additional expense, others may need to update coding or add a specialized field. The estimate indicated includes an aggregated average of both scenarios, with the potential cost per vendor falling anywhere between \$0 - \$10,000.

**Title 13—DEPARTMENT OF SOCIAL SERVICES**  
**Division 70—MO HealthNet Division**  
**Chapter 4—Conditions of Participant Participation,**  
**Rights, and Responsibilities**

**PROPOSED RESCISSION**

**13 CSR 70-4.051 Copayment for Pharmacy Services.** This rule established the regulatory basis for the MO HealthNet requirement of eligible participant copayment when receiving covered pharmacy services.

*PURPOSE:* This rule is being rescinded because the current copay/cost sharing structure does not comply with federal regulations. Continued application of pharmacy copays/cost sharing puts the state at risk of disallowance of federal funding for a portion of the pharmacy program.

*AUTHORITY:* sections 208.153 and 208.201, RSMo 2016, and section 208.152, RSMo Supp. 2018. This rule was previously filed as 13 CSR 40-81.055. Original rule filed April 14, 1982, effective July 11, 1982. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed May 23, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to [Rules.Comment@dss.mo.gov](mailto:Rules.Comment@dss.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES**  
**Division 70—MO HealthNet Division**  
**Chapter 5—Nonemergency Medical**  
**Transportation (NEMT) Services**

**PROPOSED AMENDMENT**

**13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services.** The division is amending section (1).

*PURPOSE:* This proposed amendment will allow MO HealthNet participants to receive transportation services to a pharmacy to receive vaccinations during a scheduled appointment.

(1) The MO HealthNet Division (MHD) or its contractor shall reimburse eligible participants or nonemergency medical transportation (NEMT) providers for medically necessary transportation only if a participant does not have access to transportation services that are available free of charge.

(A) The participant must have an appointment for any medical treatment that is approved by MHD.

(B) MHD will not reimburse **eligible** participants or **NEMT** providers for nonemergency medical transportation to a pharmacy or to any location where the purpose of the nonemergency transportation is to fill a pharmaceutical prescription. **MHD will reimburse eligible participants or NEMT providers for nonemergency medical transportation to a pharmacy for an MHD participant to receive a scheduled vaccination.**

*[(B)](C)* Alternative transportation services that may be provided

free of charge include~~[,]~~ but are not limited to~~[,]~~ private vehicles, volunteers, relatives, a designated legal representative, an individual involved in the resident's care, or transportation services provided by nursing facilities or other residential centers. Participants must not have access to free transportation in order to be eligible for reimbursement under this section.

*AUTHORITY:* sections 208.201 and 660.017, RSMo 2016. Original rule filed May 16, 2005, effective Oct. 30, 2005. Amended: Filed Feb. 1, 2008, effective Aug. 30, 2008. Amended: Filed Aug. 27, 2020, effective March 30, 2021. Amended: Filed May 23, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to [Rules.Comment@dss.mo.gov](mailto:Rules.Comment@dss.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 15—ELECTED OFFICIALS**  
**Division 30—Secretary of State**  
**Chapter 14—Election Contributions**

**PROPOSED AMENDMENT**

**15 CSR 30-14.010 Campaign Contribution Limits.** The secretary of state is amending subsections (1)(A), (B), and (C).

*PURPOSE:* This amendment updates the limits of contributions that a political party may accept from any person or committee.

(1) Notwithstanding Article III, Section 2(c), the campaign contribution limits set forth in Article VIII, Section 23.3, as adjusted pursuant to Article VIII, Section 23.3(18) are as follows:

(A) By any person, other than the candidate, to a candidate running for governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, office of state senator, office of state representative or any other state of judicial office under Article VIII, Section 23.3(1), two thousand *[six hundred fifty dollars (\$2,650)]* **eight hundred twenty-five dollars (\$2,825);**

(B) By any person to a political party for any state, county, municipal, district, ward, or township level election under Article VIII, Section 23.3(2)(a), *[twenty-five thousand five hundred fifty dollars (\$25,550)]* **twenty-seven thousand four hundred dollars (\$27,400); and**

(C) By any committee to a political party for any state, county, municipal, district, ward, or township level election under Article VIII, Section 23.3(2)(b), *[twenty-five thousand five hundred fifty dollars (\$25,550)]* **twenty-seven thousand four hundred dollars (\$27,400).**

*AUTHORITY:* Article VIII, Section 23(18). Emergency rule filed March 20, 2019, effective March 30, 2019, expired Jan. 8, 2020. Original rule filed March 20, 2019, effective Sept. 30, 2019. Amended: Filed May 19, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Secretary of State, PO Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

### Division 2110—Missouri Dental Board Chapter 2—General Rules

#### PROPOSED AMENDMENT

**20 CSR 2110-2.050 Licensure by Examination—Dental Hygienists.** The board is adding section (5).

*PURPOSE:* This proposed change clarifies the clinical examinations accepted and allows for manikin-based clinical exams to be accepted for dental hygiene licensure.

(5) Effective January 1, 2023, competency examinations shall be administered by any of the following or by any future appellation of the following: the Central Regional Dental Testing Service (CRDTS), CDCA-WREB-CITA, the Southern Regional Testing Agency (SRTA), or by an individual state dental board. The tested procedures are to be patient based, manikin based, or a combination of both.

*AUTHORITY:* sections 332.031, [332.231,] 332.241, [332.251,] and 332.261, RSMo 2016 and sections 332.231 and 332.251, RSMo Supp. 2021. This rule originally filed as 4 CSR 110-2.050. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 18, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, PO Box 1367, Jefferson City, MO 65102, by facsimile at (573) 751-8216, or via email at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

### Division 2165—Board of Examiners for Hearing Instrument Specialists Chapter 2—Licensure Requirements

#### PROPOSED AMENDMENT

**20 CSR 2165-2.010 Hearing Instrument Specialist in Training (Temporary Permits).** The board is amending sections (1), (2), and (4), deleting sections (6), (7), and (8), renumbering as necessary and amending newly numbers sections (7) and (8).

*PURPOSE:* This amendment clarifies the requirements to obtain a temporary permit, procedures during the training period, and the number of training hours required and hours that must be earned while holding a temporary permit.

(1) Any individual seeking to develop the skills and training necessary to obtain a [license] **temporary permit** under section 346.075, RSMo, shall register supervision and apply for a temporary permit to engage in the practice of fitting hearing instruments as defined by section 346.010(11), RSMo. An application for registration of supervision shall be made on a form provided by the board and must be accompanied by the appropriate fee as prescribed in 20 CSR 2165-1.020. The application [shall] is not [be] considered [proper and final] **complete** until qualifications of the supervisor match the criteria as prescribed in 20 CSR 2165-2.020.

(2) An approved temporary permit [shall entitle] **entitles** the hearing instrument specialist in training to engage in the practice of fitting hearing instruments as defined by section 346.010(11), RSMo, for a period of one (1) year.

(A) If a person holding a permit [has not passed the examination] is **not licensed** within the one- (1)-[-] year period, the hearing instrument specialist in training may renew the permit once for a period of six (6) months upon payment of the applicable fee as prescribed in 20 CSR 2165-1.020.

(B) The six- (6)-[-] month [renewal term shall commence] **permit extension will** immediately follow[ing] the expiration of the temporary permit, regardless of when the [renewal] application is received by the board[, such that a]. A hearing instrument specialist in training shall not hold a temporary permit beyond eighteen (18) months from the date the temporary permit was originally issued.

(4) If the hearing instrument specialist in training ceases to practice under an approved supervisor and/or changes supervision, [s/he] **the specialist in training** shall notify the board by filing a change of supervision form and paying the change of supervision fee as defined in 20 CSR 2165-1.020. [The change of supervision is subject to review pursuant to 20 CSR 2165-2.010(2).]

[(6) The practice of fitting hearing instruments by a hearing instrument specialist in training shall be performed according to the registered supervisor's order, control, guidance, and professional responsibility.

(7) A hearing instrument specialist in training shall be trained in the following procedures during his/her training period:

(A) Air conduction thresholds, with masking where appropriate;

(B) Bone conduction thresholds, with masking where appropriate;

(C) Speech reception thresholds, with masking where appropriate, utilizing test equipment with a calibrated circuit;

(D) Word recognition scores, with masking where appropriate, utilizing test equipment with a calibrated circuit;

(E) A verification of hearing instrument benefit;

(F) Ear impressions; and

(G) Visual otoscopy.

(8) As a part of the training of a hearing instrument specialist in training, s/he shall attend classes that would be approved for a licensee to renew his/her license under 20 CSR 2165-2.050.

(A) Three (3) hours of such training shall be completed every six (6) months.

(B) A person in training less than six (6) months need not complete such training.

(C) Proof of completion of such training shall be attached to the attestation form completed by the registered supervisor.]

[(9)](6) Upon completion of any registered supervised experience, the hearing instrument specialist in training shall request an attestation form from the board to be completed by the registered supervisor and returned to the board.

[(10)](7) The hearing instrument specialist in training must be identified by a temporary permit number and [use one of the following titles:] the words “hearing instrument specialist in training,” [“trainee,” or “temporary permit holder” in] on any sales contract or other documents available to the consumer, **including marketing** and referring to the temporary permit holder. Initials or acronyms representing these titles shall not be used.

[(11)](8) A temporary permit is not required for students attending a hearing sciences program at an accredited college or university [that] who are participating in a practicum to complete that program. The student must be under the direct supervision of a registered supervisor. Direct supervision [shall mean] means the licensed hearing instrument specialist is on the premises where the patient is being treated and is quickly and easily available and the patient has been examined by a licensed hearing instrument specialist [at such times as acceptable hearing instrument specialist practice requires]. Such students shall not identify themselves as a “hearing instrument specialist,” “hearing instrument specialist in training,” or a “temporary permit holder.”

*AUTHORITY:* sections 346.070, 346.075, 346.080, and [346.115.1(7)] **346.125, RSMo [2000] 2016.** This rule originally filed as 4 CSR 165-2.010. Emergency rule filed March 18, 1996, effective March 28, 1996, expired Sept. 23, 1996. Emergency rule filed Oct. 28, 1996, effective Nov. 7, 1996, expired May 5, 1997. Original rule filed Oct. 16, 1996, effective May 30, 1997. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 18, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE  
AND INSURANCE  
Division 2165—Board of Examiners for  
Hearing Instrument Specialists  
Chapter 2—Licensure Requirements**

**PROPOSED AMENDMENT**

**20 CSR 2165-2.025 Application Procedures.** The board is adding new section (3), deleting sections (2) and (4), renumbering as necessary and amending section (1) and newly numbered sections (2) and (4).

*PURPOSE:* This amendment clarifies the procedure for applying for licensure as a hearing instrument specialist and/or a hearing instrument specialist in training

(1) [Applications for licensure must be made on the forms provided by the board.] Application forms [may] **must** be obtained by requesting them from the Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102 or on the board’s website www.pr.mo.gov/hearing.asp.

[(2)] An application must be legible (printed or typed), signed, notarized, and accompanied by the appropriate fees. The fee must be in the form of a cashier’s check, personal check, or money order.]

[(3)](2) The following documents must be on file for an application to be considered complete:

(A) Completed **original application that must be legible (printed or typed), signed, and notarized;**

(B) Appropriate fee;

(C) [Proof of acceptable educational credentials as evidenced by an] **An official transcript sent directly to the board by the school showing proof of educational requirements pursuant to section 346.055, RSMo;**

(D) A current, standard passport photo, [one and one-half inches by two inches (1.5” × 2.0”), must be] attached to the application; and

(E) Verification of licensure [must be] submitted by each state where the applicant has ever been licensed. [Verification of licensure shall contain information concerning the requirements in force at the time the applicant was licensed, the method of licensing including examination results, date of original licensure, and current status of the applicant’s license.]

[(4)] All forms must be completed and received by the board by the established deadline.]

**(3) For an applicant who elects to apply for a license and completes the written and/or practical examinations prior to the completion of his/her educational program, the board will not issue a license until such time as the applicant completes his/her education and an official transcript verifying a conferred degree is sent directly to the board by the school and all other licensure requirements are met.**

[(5)](4) Applications for licensure are valid for a period of three (3) years from the date the application is received in the board’s office. If an applicant has not completed the application process within the three- (3-) year period, the [applicant] **application** will be [denied and must complete a new application for licensure, submit all required documentation, and pay all applicable fees] **void**. If an applicant must reapply for licensure, all current licensure requirements must be met.

*AUTHORITY:* section[s 346.050,] 346.055, **RSMo Supp. 2021, and sections 346.115[, ] and 346.125, RSMo [Supp. 2012] 2016.** Original rule filed Sept. 8, 2008, effective March 30, 2009. Amended: Filed Jan. 10, 2013, effective July 30, 2013. Amended: Filed May 18, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered,

comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE  
AND INSURANCE  
Division 2165—Board of Examiners for  
Hearing Instrument Specialists  
Chapter 2—Licensure Requirements**

**PROPOSED RESCISSION**

**20 CSR 2165-2.040 Licensure by Reciprocity.** This rule outlined the requirements for applying for licensure by reciprocity.

*PURPOSE:* The rule is being rescinded since licensure by reciprocity was removed from the board's statute.

*AUTHORITY:* section 346.115.1(7), RSMo 2000. This rule originally filed as 4 CSR 165-2.040. Original rule filed Oct. 16, 1996, effective May 30, 1997. Moved to 20 CSR 2165-2.040, effective Aug. 28, 2006. Amended: Filed Dec. 30, 2008, effective July 30, 2009. Rescinded: Filed May 18, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE  
AND INSURANCE  
Division 2165—Board of Examiners for  
Hearing Instrument Specialists  
Chapter 2—Licensure Requirements**

**PROPOSED AMENDMENT**

**20 CSR 2165-2.060 License Renewal.** The board is deleting sections (4), (5), and (7), renumbering as necessary, and amending section (3) and newly renumbered sections (4), (5), and (6).

*PURPOSE:* This amendment clarifies the license renewal requirements and procedures.

(3) Each person who engages in the fitting and selling of hearing instruments shall, on or before the renewal date, pay the required fees, present annual receipts of calibration of all audiometers and obtain satisfactory evidence that continuing education requirements have been completed. No person whose license has expired and who applies for renewal will be required to submit to an examination as a condition of renewal, if this renewal application is made within two (2) years from the date of expiration pursuant to 20 CSR 2165-2.050.

[(4) Prior to January 1, 2004, the following guidelines gov-

ern the attendance of educational programs for annual license renewal:

(A) The licensee shall provide evidence of attendance upon request of the board. Every licensee shall maintain full and complete records of all approved continuing education hours earned for the two (2) previous reporting periods in addition to the current reporting period. Such records shall include all attendance certificates of approved continuing education hours. The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall provide all approved continuing education certificates to the board within fifteen (15) days of the board's request of such documentation;

(B) This evidence must demonstrate that the licensee attended a minimum of twelve (12) hours of approved educational hearing instrument programs during the current reporting period; and

(C) The continuing education reporting period shall consist of a one (1)-year period. It shall begin each year on January 1 and end on December 31 of that same year.

(5) Effective January 1, 2004, the following guidelines govern the attendance of educational programs for biennial license renewal:

(A) The licensee shall provide evidence of attendance upon request of the board. Every licensee shall maintain full and complete records of all approved continuing education hours earned for the two (2) previous reporting periods in addition to the current reporting period. Such records shall include all attendance certificates of approved continuing education hours. The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall provide all approved continuing education certificates to the board within fifteen (15) days of the board's request of such documentation;

(B) This evidence must demonstrate that the licensee attended a minimum of twenty-four (24) hours of approved educational hearing instrument programs during the current reporting period;

(C) The continuing education reporting period shall consist of a two (2)-year period. It shall begin on January 1 of even numbered years and end on December 31 of the following year.]

[(6)](4) When an organization owns or leases all or a portion of the audiometers utilized by the hearing instrument specialist employed, the organization must submit annual receipt of calibration [as required in] pursuant to 20 CSR 2165-2.060(3). A hearing instrument specialist employed with such an organization who utilizes only this equipment may reference this annual receipt as evidence of compliance with his/her annual calibration requirements.

[(7) The first twelve (12) hours of the continuing education requirements will be waived during the initial year of licensure as a hearing instrument specialist. Effective January 1, 2004, the new licensee will be required to obtain the remaining twelve (12) hours of the twenty-four (24)-hour continuing education requirement should the licensee become licensed in the first year of the continuing education reporting period. If the new licensee becomes licensed in the second year of the continuing education reporting period the continuing education requirement shall be waived for that reporting period.]

[(8)](5) Reactivation of Non-Current License.

(A) Any hearing instrument specialist license[, which] that is not renewed prior to the expiration date of the license[, ] shall become non-current. Persons with non-current licenses shall not engage in

the fitting of hearing instruments.

(B) In order to reactivate a non-current license the hearing instrument specialist must submit the following:

1. Renewal application;
2. Renewal fee;
3. Reactivation fee;
4. Annual calibration receipt;

[5. Prior to January 2004, proof of twelve (12) hours of attendance at an approved continuing education program(s). These hours must have been obtained during the preceding twelve (12) months from the date of application for reactivation;]

[6.]5. [Effective January 2004, proof of twenty-four (24) hours of attendance at an approved continuing education program(s)] **Proof of the required continuing education hours pursuant to 20 CSR 2165-2.050.** These hours must have been obtained during the preceding twenty-four (24) months from the date of application for reactivation.

(C) Hearing instrument specialists may reactivate a non-current license within two (2) years of its expiration date **without submitting to an examination.** Any hearing instrument specialist license not reactivated within two (2) years of the expiration date [shall become void] **must complete a new application for licensure, submit all required documentation, and pay all applicable fees.**

[(9)](6) Inactive License.

(A) A hearing instrument specialist may choose to place his/her license on an inactive status by signing an affidavit stating that s/he will not engage in the practice [or be involved in any aspect, administrative or otherwise, of the practice] of fitting hearing instruments in Missouri, which would include serving as a supervisor of a hearing instrument specialist in training, and submitting that affidavit with the renewal application and the appropriate fee to the board office. The license issued to all these applicants shall be stamped "inactive."

(B) In order for a hearing instrument specialist to activate an inactive license, the licensee shall submit to the board office—

1. The renewal application;
2. The balance of the active renewal fee. No fee will be prorated;
3. Evidence that the licensee has completed the required continuing education credits [in accordance with 20 CSR 2165-2.060(5)] **pursuant to 20 CSR 2165-2.050** for each renewal cycle that the license is inactive]. *These required approved continuing education credits shall not exceed a total of fifty (50) hours. These hours must have been obtained during the preceding twenty-four (24) months from the date of application for restoration to active status;*
  4. Annual calibration receipt;
  5. The license stamped "inactive"; and
  6. Registered supervisors must submit proof of current board certification.

(C) The board will issue an inactive license, which shall be effective until the next regular renewal date. No penalty fee shall apply.

**AUTHORITY:** sections 346.095 and [346.115.1(7)] **346.125, RSMo [2000] 2016.** This rule originally filed as 4 CSR 165-2.060. Emergency rule filed Oct. 28, 1996, effective Nov. 7, 1996, expired May 5, 1997. Original rule filed Nov. 6, 1996, effective May 30, 1997. For intervening history, please consult the *Code of State Regulations*. Amended: Filed May 18, 2022.

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

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

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE  
AND INSURANCE  
Division 2220—State Board of Pharmacy  
Chapter 7—Licensing**

**PROPOSED AMENDMENT**

**20 CSR 2220-7.010 General Licensing Rules.** The Missouri Board of Pharmacy is amending sections (1)–(3) of this rule.

**PURPOSE:** This amendment modernizes rule language, modifies the definition of an accredited pharmacy school/college, and revises the timeframes for submitting a completed license application.

(1) Definitions.

(B) Accredited school/college of pharmacy—a school or college of pharmacy accredited by ACPE **and located in a U.S. state or territory.**

(2) An application shall not be considered filed if it has to be returned to the applicant for an incorrect or missing fee, an incomplete or missing college affidavit, or an incomplete or missing signature or notarization. In this instance, the application will be returned to the applicant and will not be deemed filed until it has been returned with all corrections made. [An] **A pharmacist license application shall be deemed invalid if the applicant fails to submit or make available via NABP all information required to complete the application within [six (6) months] ninety (90) days after the application is received by the board, with the exception of NAPLEX or MPJE examination scores.**

(3) [No duplicate license or registration shall be issued except upon the return of the original or upon an affidavit from the licensee that the certificate has been lost, stolen, or destroyed. The duplicate certificate, license, or registration fee shall accompany the affidavit] **No duplicate license, certificate, or registration shall be issued until the duplicate license fee has been paid and the most recent license, registration, or certificate has been returned to the board office or the licensee/registrant/certificate holder submits an attestation under penalty of perjury that the license, certificate, or registration has been lost, stolen, or destroyed.**

**AUTHORITY:** sections 338.020, 338.030, 338.040, 338.043, 338.070, and 338.280, RSMo [2000, and sections 338.030, 338.043] **2016, and section 338.140, RSMo Supp. [2012] 2021.** Original rule filed Jan. 10, 2013, effective Aug. 30, 2013. Amended: Filed May 31, 2022.

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

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

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the

Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at [pharmacy@pr.mo.gov](mailto:pharmacy@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF COMMERCE  
AND INSURANCE  
Division 2220—State Board of Pharmacy  
Chapter 7—Licensing**

**PROPOSED AMENDMENT**

**20 CSR 2220-7.030 Pharmacist Licensure by Examination.** The Missouri Board of Pharmacy is amending sections (1)–(4) of this rule.

*PURPOSE: This amendment modernizes rule language, incorporates current application procedures from the National Association of Boards of Pharmacy, and clarifies requirements/restrictions for taking and passing the required licensure examinations.*

(1) Examination Applications.

(A) Graduates of **an accredited** college/school of pharmacy [accredited by the Accreditation Council for Pharmacy Education (ACPE) or an equivalent federally-recognized accrediting body] may apply to the board for licensure as a Missouri pharmacist by examination. Applications shall be submitted on forms provided by the board with the examination application fee. The application [shall] **must** be notarized and [shall] include:

1. Satisfactory evidence that the applicant has graduated from an accredited school/college of pharmacy that meets the requirements of this rule;

2. Proof [of fingerprinting] **that the applicant has completed a state and federal criminal history background check**, as required by 20 CSR 2220-7.090; and

3. Proof of one thousand five hundred (1,500) hours of pharmacy practice experience in activities related to the practice of pharmacy as approved by the board or connected with [pharmaceutical or patient-centered care through the interpretation and evaluation of prescription orders; the compounding, dispensing, and labeling of drugs and devices pursuant to prescription orders; the proper and safe storage of drugs and devices and the maintenance of proper records of them; the administration of immunizations; or consultation with patients and other health care practitioners about the safe and effective use of drugs and devices. Pharmacy practice experience earned in another state must be certified directly to the board from the state or governmental pharmacist licensing entity where the hours were earned.]—

**A. Patient-centered pharmaceutical care or pharmacist clinical services;**

**B. Evaluating or interpreting prescriptions or medication orders;**

**C. Compounding, dispensing, and labeling of drugs and devices;**

**D. The proper and safe storage of drugs and devices and appropriate record keeping for them;**

**E. Medication administration;**

**F. Medication therapy review/management; and**

**G. Consulting with patients and other health care practitioners about the safe and effective use of drugs and devices.**

(B) Pharmacy practice experience earned in another state must be certified directly to the board from an accredited school/college of pharmacy or the state or governmental pharmacist licensing entity where the hours were earned. Alternatively, the board may, in its discretion, accept proof of graduation and the

required pharmacy practice experience hours from National Association of Boards of Pharmacy (NABP). Graduates of an accredited school/college of pharmacy located in a U.S. state or territory shall be deemed compliant with the pharmacy practice experience hours required by this rule and are not required to submit additional proof of pharmacy practice experience, unless otherwise requested by the board or the board's authorized designee.

[(B)](C) The board shall review the application and determine the candidate's eligibility to test. Applications shall be deemed incomplete until all requirements of this rule have been met. All application fees [shall be] are non-refundable.

(2) Test Scheduling. When an application has been completed, the board [shall] **will** notify the applicant **and/or** NABP if he/she is eligible for the North American Pharmacist Licensure Examination (NAPLEX) and/or the Multistate Pharmacy Jurisprudence Examination (MPJE) [automated examinations]. If eligible, the applicant shall schedule testing dates for both the NAPLEX and MPJE, as required by the [National Association of Boards of Pharmacy ([NABP])]. The applicant [shall satisfy] **must comply with all registration, application**, testing, and scheduling requirements established by NABP **for the examinations**, and [shall be responsible for completing any necessary application(s) and] payment of **any fee(s) required by NABP** for scheduling/taking the examination(s).

(A) To avoid forfeiture of eligibility, the applicant must take the examination(s) within three hundred sixty-five (365) days after having been determined eligible by the board [for examination] **to test**. If the applicant does not take the examination within three hundred sixty-five (365) days, the applicant [shall be required to] **must** reapply to the board for examination/licensure and [again] pay the examination application fee **again**.

(3) Testing. Applicants for **pharmacist** licensure by examination [shall] **must** successfully pass both the NAPLEX and the MPJE. To successfully pass, a minimum score of seventy-five (75) is required for each of the required examinations. [Upon approval by the board and successful completion of the NAPLEX and MPJE, the board shall issue a pharmacist license to the applicant] **Applicants must pass both the NAPLEX and MPJE exams within two (2) years of submitting their application for licensure by examination to the board. Failure to achieve passing scores on both exams in this two (2) year period will result in the license application being rejected as incomplete. The applicant may reapply for licensure and restart the examination process, except as otherwise provided by subsection (4)(A) or other provisions of Missouri law.**

(4) Retesting. If an applicant fails to achieve a score of seventy-five (75) on both the NAPLEX and the MPJE, the candidate shall retake and pass the failed examination(s) before a license can be issued. [Any applicant who fails to achieve a passing score on either of the examinations shall be required to] **Applicants seeking to retake an examination must** file an application for reexamination with the board and pay the examination application fee each time. All examinations are scored independently and may be retaken independently.

(A) The board **or its authorized designee** shall review and approve any applicant that fails the NAPLEX or MPJE [two (2)] **three (3)** consecutive times prior to the applicant being declared eligible to retest. A candidate [shall] **will** not be declared eligible to retest under this subsection until approved by the board. In lieu of disapproval, the board may establish a date after which the candidate shall be eligible to retest or may establish additional training or study requirements [to] **that must** be completed before authorization to retest is granted. **Applicants who fail the NAPLEX five (5) times shall not be declared eligible to retake the NAPLEX. Applicants**

who fail the MPJE five (5) times shall not be declared eligible to retake the MPJE unless otherwise approved by the board for extenuating circumstances.

(B) Application for reexamination [shall] must be made on a form provided by the board. [Fees for reexamination shall be] Examination/reexamination fees are non-refundable.

*AUTHORITY:* sections 338.020, 338.040, 338.060, and 338.070, RSMo [2000] 2016, and sections 338.035 and 338.140, RSMo Supp. [2012] 2021. Original rule filed Jan. 10, 2013, effective Aug. 30, 2013. Amended: Filed May 31, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

## Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

### Division 2234—Board of Private Investigator and Private Fire Investigator Examiners Chapter 5—Examination Requirements

#### PROPOSED AMENDMENT

**20 CSR 2234-5.010 Examination.** The board is amending section (2).

*PURPOSE:* This amendment increases the time frame allowed to exempt an applicant from the examination requirement.

(2) The following applicants are exempt from examination:

(A) An applicant whose complete application is filed with the board, and who is able to show [previous] two (2) years of lawful practice **within the past (3) years** from the date the application was complete; [and]

(B) An applicant eligible under reciprocity **pursuant to section 324.009, RSMo; and**

(C) [Law enforcement officers pursuant to section 324.1146, RSMo.

*AUTHORITY:* section 324.1110, RSMo Supp. [2020] 2021, and section 324.1138, RSMo 2016. Original rule filed June 26, 2009, effective Jan. 30, 2010. Amended: Filed Oct. 8, 2020, effective April 30, 2021. Amended: Filed May 18, 2022.

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

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

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Private Investigator and Private Fire Investigator Examiners, Pam Groose, Executive Director, PO Box 1335, Jefferson

City, MO 65102-1335, by fax at (573) 526-0661, or via email at pi@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

## Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

### Division 2263—State Committee for Social Workers Chapter 2—Licensure Requirements

#### PROPOSED AMENDMENT

**20 CSR 2263-2.031 Acceptable Supervisors and Supervisor Responsibilities.** The committee is amending section (5), adding new section (6) and renumbering as necessary.

*PURPOSE:* The proposed amendment limits the number of supervisees a supervisor can have under their supervision and adds language regarding supervision contracts.

(5) [The practice of social work by the supervisee shall be performed under the supervisor's control, oversight, guidance, and full professional responsibility. This shall include all applicable areas of practice including, but not limited to:] A licensed supervisor shall have no more than six (6) persons obtaining post-degree supervised experience for licensure under their supervision at any one time. Any supervisor wishing to petition the committee for additional supervisees may do so by submitting a written request to the committee explaining the reason for providing supervision to more than six (6) individuals.

[(A) General orientation of the setting's policies and procedures;

(B) Providing best practice strategies for professional social work practice;

(C) Preliminary screening of all potential clients of the supervisee to determine if the supervisee is capable of successful assessment, intervention, and referral;

(D) Thorough knowledge of the supervisee's entire workload;

(E) Thorough knowledge of each assignment or case, including assessment, diagnosis, and intervention;

(F) Ongoing evaluation and modification of the supervisee's workload as necessary;

(G) Allowable supervision.

1. A minimum of two (2) hours every two (2) weeks of individual face-to-face supervision by the supervisor.

2. However, individual face-to-face supervision may be consolidated for up to four (4) weeks for a total of four (4) hours of individual face-to-face supervision per four (4)-week period. These hours shall be included in the total number of supervised hours required as set forth in the rules promulgated by the committee.

3. Fifty percent (50%) of supervision may be group supervision. For the purpose of this rule, group supervision may consist of at least three (3), and no more than six (6), supervisees.

4. The use of electronic communications is acceptable for meeting supervision requirements of this rule only if the ethical standards for confidentiality are maintained and the communication is verbally and visually interactive between the supervisor and the supervisee;

(H) Acceptable safeguards shall be built into the contract if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor's evaluation of the supervisee;

(I) When the proposed supervisor is not a staff member of

*the supervisee's agency, the supervisor shall have a written agreement from the agency administration as to the purpose and content of the desired supervision and the supervisor's specific role, responsibilities, and limitations. The supervisor is also responsible for learning agency functions and policies so that any supervisory suggestions are constructive and realistic within agency purposes and resources;*

*(J) When there is a change in the setting or supervisor, the supervisor is responsible for notifying the committee and submitting a change of status form to the committee. Such change of status form must be received by the committee within fourteen (14) days of the change;*

*(K) If supervision is terminated by either party, the supervisor is responsible for notifying the committee and submitting a termination form to the committee. Such termination form must be received by the committee within fourteen (14) days of termination; and*

*(L) The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee's practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process.]*

**(6) The practice of social work by the supervisee shall be performed under the supervisor's control, oversight, guidance, and full professional responsibility. This shall include all applicable areas of practice including, but not limited to:**

**(A) General orientation of the setting's policies and procedures;**

**(B) Providing best practice strategies for professional social work practice;**

**(C) Preliminary screening of all potential clients of the supervisee to determine if the supervisee is capable of successful assessment, intervention, and referral;**

**(D) Thorough knowledge of the supervisee's entire workload;**

**(E) Thorough knowledge of each assignment or case, including assessment, diagnosis, and intervention;**

**(F) Ongoing evaluation and modification of the supervisee's workload as necessary;**

**(G) Allowable Supervision.**

**1. A minimum of two (2) hours every two (2) weeks of individual face-to-face supervision by the supervisor.**

**2. However, individual face-to-face supervision may be consolidated for up to four (4) weeks for a total of four (4) hours of individual face-to-face supervision per four- (4-) week period. These hours shall be included in the total number of supervised hours required as set forth in the rules promulgated by the committee.**

**3. Fifty percent (50%) of supervision may be group supervision. For the purpose of this rule, group supervision may consist of at least three (3), and no more than six (6), supervisees.**

**4. The use of electronic communications is acceptable for meeting supervision requirements of this rule only if the ethical standards for confidentiality are maintained and the communication is verbally and visually interactive between the supervisor and the supervisee;**

**(H) Acceptable safeguards shall be built into the contract if the supervisor and supervisee have a relationship that could affect the employment or benefits of the supervisor, and the relationship could, in any way, bias or compromise the supervisor's evaluation of the supervisee;**

**(I) When the proposed supervisor is not a staff member of the supervisee's agency, the supervisor shall have a written agree-**

**ment from the agency administration as to the purpose and content of the desired supervision and the supervisor's specific role, responsibilities, and limitations. The supervisor is also responsible for learning agency functions and policies so that any supervisory suggestions are constructive and realistic within agency purposes and resources. If a proposed supervisor is both the supervisor for employment purposes and for registered supervision then the contract shall—**

**1. Specifically state such; and**

**2. Address the details of the dual relationship;**

**(J) When there is a change in the setting or supervisor, the supervisor is responsible for notifying the committee and submitting a change of status form to the committee. Such change of status form must be received by the committee within fourteen (14) days of the change;**

**(K) If supervision is terminated by either party, the supervisor is responsible for notifying the committee and submitting a termination form to the committee. Such termination form must be received by the committee within fourteen (14) days of termination; and**

**(L) The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee's practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process.**

**[[6]](7) Within fourteen (14) days of the termination of the supervised experience, the supervisor shall complete and maintain the committee's Attestation of Supervision Form, summarizing the supervisee's performance and level of compliance with the requirements for supervised social work experience for a period of forty-eight (48) months.**

**(A) If the supervisor does not recommend the supervisee for licensure or recommends licensure with reservation, the Attestation of Supervision Form shall be supplemented with a detailed statement explaining why recommendation for licensure without reservation cannot be made. Exhibits may be attached to the statement of explanation.**

**(B) A copy of the statement of explanation, and any exhibits, shall be delivered to the supervisee.**

**(C) The supervisee may respond to the statement of explanation within fourteen (14) days, in writing or by making a request for an appearance before the committee.**

**(D) The supervisor and the supervisee shall promptly respond to any inquiry made by the committee or at its direction regarding the Attestation of Supervision Form or the statement of explanation.**

**[[7]](8) A licensed master social worker under registered supervision may be employed in the supervisor's private practice setting or in the private practice of another. In those instances, the supervisor may bill clients for services rendered by the licensed master social worker but under no circumstances shall the licensed master social worker bill the clients directly for services rendered. The only exception to this section shall be when reimbursement for services is provided under Title XIX (Medicaid) through the Missouri Department of Social Services, MO HealthNet Division. A licensed master social worker under registered supervision may accept a Medicaid reimbursement number and services may be billed through that number, provided such reimbursement is administered through the professional setting employing the licensed master social worker, and not directly paid to the licensed master social worker. The professional setting shall not include private practice in which the licensed master social worker operates, manages, or has an ownership interest in the private practice.**

*AUTHORITY: section 337.600, RSMo 2016, and sections 337.612, 337.627, and 337.665, RSMo Supp. [2020] 2021. This rule originally filed as 4 CSR 263-2.031. Original rule filed Sept. 18, 1990, effective Feb. 14, 1991. For intervening history, please consult the Code of State Regulations. Amended: Filed May 31, 2022.*

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

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

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Committee for Social Workers, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102, by fax at (573) 526-3489, or via email at [lcsw@pr.mo.gov](mailto:lcsw@pr.mo.gov). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: 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 10-7.435 is amended.

This rule establishes the special deer harvest restrictions for certain counties and is exempted by section 536.021, RSMo 2016, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.435 by establishing deer harvest restrictions.

**3 CSR 10-7.435 Deer: Special Harvest Provisions**

(1) Only antlerless deer and antlered deer with at least one (1) antler having at least four (4) antler points may be taken in the counties of Andrew, Atchison, Audrain, Bates, Benton, the portion of Boone County not included within the city limits of Columbia, Buchanan, Caldwell, Callaway, Carroll, the portion of Cass County not included in the Kansas City urban zone, Clinton, Cole, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Johnson, Lafayette, Lewis, Lincoln, Livingston, Maries, Marion, Miller, Moniteau, Monroe, Montgomery, Morgan, Nodaway, Osage, Pettis, Phelps, Pike, the portion of Platte County not included in the Kansas

City urban zone, Ralls, Randolph, Ray, Saline, Schuyler, Scotland, Shelby, and Worth. No other antlered deer may be taken.

- (A) An antler point is at least one inch (1") long from base to tip.
- (B) The end of the main beam is a point.

(2) These special provisions apply to all deer hunting seasons and permittees, except the provisions of this rule shall not apply to persons that are fifteen (15) years of age or younger on September 15 of the current 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 May 20, 2022, becomes effective **July 1, 2022**.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: 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 10-7.437 is amended.

This rule establishes the special deer harvest restrictions for certain counties and is exempted by section 536.021, RSMo 2016, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.437 by establishing deer harvest limits and restrictions.

**3 CSR 10-7.437 Deer: Antlerless Deer Hunting Permit Availability**

(2) Firearms Deer Hunting Season.

(A) Resident and Nonresident Firearms Antlerless Deer Hunting Permits are not valid in the counties of: Atchison, Butler, Carter, Dunklin, Mississippi, New Madrid, Pemiscot, Scott, and Wayne.

(B) Only one (1) Resident or Nonresident Firearms Antlerless Deer Hunting Permit per person may be filled in the counties of: Andrew, Bollinger, Holt, Iron, Nodaway, Reynolds, and Stoddard.

(C) Only two (2) Resident or Nonresident Firearms Antlerless Deer Hunting Permits per person may be filled in the counties of: Adair, Audrain, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Chariton, Christian, Cedar, Clark, Clay, Clinton, Crawford, Cole, Cooper, Dade, Dallas, Daviess, DeKalb, Dent, Douglas, Franklin, Gasconade, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Howard, Howell, Jackson, Jasper, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lewis, Lincoln, Linn, Livingston, Macon, Madison, Maries, Marion, McDonald, Mercer, Miller, Moniteau, Monroe, Montgomery, Morgan, Newton, Oregon, Osage, Ozark, Perry, Pettis, Phelps, Pike, Platte, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Ripley, Saline, Schuyler, Scotland, Shannon, Shelby, St. Charles, St. Clair, St. Francois, St. Louis, Ste. Genevieve, Stone, Sullivan, Taney, Texas, Vernon, Warren, Washington, Webster, Worth, and Wright.

**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 May 20, 2022, becomes effective **July 1, 2022**.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 7—Wildlife Code: Hunting: 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 10-7.600 is amended.

This rule establishes general provisions for enrollment in the department’s deer management assistance program and for hunting in the program and is exempted by section 536.021, RSMo 2016, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-7.600 by establishing deer harvest limits and restrictions.

**3 CSR 10-7.600 Deer Management Assistance Program**

(1) Landowners with property located in any county may enroll property in the department-sponsored deer management assistance program in accordance with the following:

(A) An enrolled property shall be at least five hundred (500) acres, except inside the boundaries of cities or towns, an enrolled property shall be at least forty (40) acres. Individual parcels of land, regardless of ownership, may be combined to satisfy the acreage requirement for an enrolled property; provided, each parcel of land is no more than one half (0.5) air miles from the boundary of another parcel being combined to form an enrolled property. An enrolled property, or parcels being combined to create an enrolled property, may be dissected by public roads.

(B) Landowners shall submit an application and have a deer management plan approved by the department to enroll property in the program. Application and deer management plan approval shall be on an annual basis.

(C) Landowners shall submit the following information to the department for any person who is authorized to obtain firearms deer management assistance program permit(s) for use on an enrolled property, or the portion of an enrolled property under their control: Name, domicile address, e-mail, phone number, conservation identification number, Social Security number, and property identification number assigned to the enrolled property by the department.

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 May 20, 2022, becomes effective **July 1, 2022**.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.109 Closed Hours is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 475). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.110 Use of Boats and Motors is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 475-476). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.115 Bullfrogs and Green Frogs is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 476-477). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.125 Hunting and Trapping is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 477-478). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.135 Fishing, Methods is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 478). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-12.140 Fishing, Daily and Possession Limits  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 478-481). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 12—Wildlife Code: Special Regulations for  
Areas Owned by Other Entities**

**ORDER OF RULEMAKING**

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a

rule as follows:

**3 CSR 10-12.145 Fishing, Length Limits is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 1, 2022 (47 MoReg 482). 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 Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comment from one (1) individual who asked for clarification on the total number of crappie included in the daily limit and the number of crappie included in the daily limit greater than nine inches (9") in total length.

RESPONSE: The proposed regulation on Mozingo Lake would increase the total daily limit of crappie from fifteen (15) to the statewide limit of thirty (30) fish. Of those thirty (30) crappie, no more than fifteen (15) may be greater than nine inches (9") in total length. No changes have been made to the amendment as a result of this comment.

**Title 8—DEPARTMENT OF LABOR AND  
INDUSTRIAL RELATIONS  
Division 50—Division of Workers' Compensation  
Chapter 5—Determination of Disability**

**ORDER OF RULEMAKING**

By the authority vested in the Division of Workers' Compensation under section 287.650, RSMo 2016, the division withdraws a proposed amendment as follows:

**8 CSR 50-5.007 Evidence of Occupational Disease Exposure for  
First Responders is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2022 (47 MoReg 119-121). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Division of Workers' Compensation received comments on this proposed amendment. Comments questioned the division's authority for the amendment, the fiscal estimates contained within the amendment, and the necessity and fairness of the amendment. Comments also questioned whether the amendment applied retroactively.

RESPONSE: The state of emergency announced in response to the COVID-19 pandemic ended on December 31, 2021, and Missouri has adopted an endemic response to the COVID virus. The division is therefore withdrawing the rulemaking.

**Title 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 1—Organization of Department of Revenue**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.190.9, RSMo Supp. 2021, and section 536.021.10, RSMo 2016, the director amends a rule as follows:

**12 CSR 10-1.020 Letter Rulings is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2022 (47 MoReg 317). 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 12—DEPARTMENT OF REVENUE  
Division 10—Director of Revenue  
Chapter 26—Dealer Licensure**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 301.553 and 301.558, RSMo Supp. 2021, the director adopts a rule as follows:

**12 CSR 10-26.231 Maximum Dealer Administrative Fees  
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on March 1, 2022 (47 MoReg 318). 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 2263—State Committee for Social Workers  
Chapter 2—Licensure Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2021, the committee amends a rule as follows:

**20 CSR 2263-2.030 Supervised Licensed Social Work Experience  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2022 (47 MoReg 375). 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 2263—State Committee for Social Workers  
Chapter 2—Licensure Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the State Committee for Social Workers under section 337.627, RSMo Supp. 2021, the committee amends a

rule as follows:

**20 CSR 2263-2.050 Application for Licensure as a Social Worker  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on March 1, 2022 (47 MoReg 375). 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.

**T**his 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 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 140—Division of Energy**  
**Chapter 4—Wood Energy Credit**

**NON-SUBSTANTIVE CHANGE REQUEST**

The Missouri Department of Natural Resources' Division of Energy requests that the secretary of state make a non-substantive change to the following rule in accordance with the provisions of section 536.032, RSMo. Rule 10 CSR 140-4.010, Wood Energy Credit, contains several references to the Missouri Department of Economic Development. Executive Order 19-01, which implemented 10 CSR 140-4.010, transferred the Division of Energy from the Missouri Department of Economic Development to the Missouri Department of Natural Resources, along with "...all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges ...." Accordingly, the Missouri Department of Natural Resources' Division of Energy requests all references to "Missouri Department of Economic Development" and "Department of Economic Development" that appear in 10 CSR 140-4.010 be replaced with the "Missouri Department of Natural Resources" or "Department of Natural Resources," respectively.

References to be changed are found in 10 CSR 140-4.010(2) (three appearances), 10 CSR 140-4.010(3) (two appearances), and 10 CSR 140-4.010(5) (one appearance).

This change will appear in the July 31, 2022, update to the *Code of State Regulations*.

## Notice of Periodic Rule Review

The General Assembly has instituted an ongoing five- (5-) year rolling review of existing rules that will begin July 1, 2022, as set forth in section 536.175, RSMo. The following entities will begin this process for rules promulgated within their designated Title of the *Code of State Regulations* with a sixty- (60-) day public comment period. The *Code of State Regulations* may be viewed at <http://www.sos.mo.gov/adrules/csr/csr.asp>.

### Titles Reviewed Beginning July 1, 2022:

Title 11 – Department of Public Safety  
Title 12 – Department of Revenue  
Title 13 – Department of Social Services  
Title 14 – Department of Corrections

**The Public Comment Process:** Entities with rules in Titles 11-14 of the *Code of State Regulations* may receive comments from the public for any rule within these titles.

- Comments must be received within sixty (60) days of July 1, 2022. (August 31, 2022)
- Comments must identify the commenter.
- Comments must identify the specific rule commented upon.
- Comments must be directly associated with a specified rule.
- Comments must be submitted to the following agency designee:

#### **Title 11 – Department of Public Safety**

Nathan Weinert  
General Counsel  
PO Box 749  
Jefferson City, MO 65102  
[dpsinfo@dps.mo.gov](mailto:dpsinfo@dps.mo.gov)

#### **Title 12 – Department of Revenue**

Chloe Robinette  
PO Box 475  
Jefferson City, MO 65105-0475  
[chloe.robinette@dor.mo.gov](mailto:chloe.robinette@dor.mo.gov)

#### **Title 13 – Department of Social Services**

Sharie Hahn  
General Counsel  
PO Box 1527  
Broadway State Office Building  
Jefferson City, MO 65102-1527  
[rulescomment@dss.mo.gov](mailto:rulescomment@dss.mo.gov)

#### **Title 14 – Department of Corrections**

Doug Shull  
General Counsel  
2728 Plaza Dr.  
Jefferson City MO 65109  
[doug.shull@doc.mo.gov](mailto:doug.shull@doc.mo.gov)

**The Report:** The agency will prepare a report containing the results of the review which will include: whether the rule continues to be necessary; whether the rule is obsolete; whether the rule overlaps, duplicates, or conflicts with other rules; whether a less restrictive or more narrowly tailored rule is appropriate; whether the rule needs amendment or rescission; whether incorporated by reference materials are proper; and whether rules affecting small business are still relevant. The report will also contain an appendix with the nature of the comments the department has received on the rules and the agency responses to the comments.

**Report Deadline:** The report must be filed with the Joint Committee on Administrative Rules by **June 30, 2023**. Any rule not included in the report may become null and void. However, there is an extensive process, including multiple opportunities to correct the deficiency, in place before nullification of the rule. Such opportunities include the ability of the agency to request an extension from the Joint Committee on Administrative Rules, as well as notification to the agency and opportunity to correct the delinquency.

**Questions:** If you have further questions about the process, please contact Sarah Schappe, Joint Committee on Administrative Rules, 573-751-2443 or [JTCAR@senate.mo.gov](mailto:JTCAR@senate.mo.gov).

**T**he 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](mailto:adrules.dissolutions@sos.mo.gov).

**NOTICE OF ENTITY DISSOLUTION  
TO ALL CREDITORS AND CLAIMANTS  
AGAINST  
MPACT HEALTH, LLC**

MPact Health, LLC, a Missouri limited liability company ("Company"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on May 17, 2022. In accordance with the filing of the Notice of Winding Up for Limited Liability Company, and pursuant to the Missouri Limited Liability Company Act, any and all claims against the Company should be sent by mail to MPact Health, LLC, c/o Polsinelli PC, 2501 Frederick Avenue, Suite 200, St. Joseph, MO 64506, Attention: Mark Woodbury. Each claim should include the following:

(1) a brief description of the nature and basis for your claim; (2) the date(s) when the events on which your claim is based arose; (3) the amount of your claim; (4) the name, address, telephone number and email address (if applicable) of the claimant; and (5) any documentation related to your claim.

Any and all claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of the publication of this Notice.

**NOTICE OF ENTITY DISSOLUTION  
TO ALL CREDITORS AND CLAIMANTS  
AGAINST  
MPACT HEALTH CIN, LLC**

MPact Health CIN, LLC, a Missouri limited liability company ("Company"), filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on May 17, 2022. In accordance with the filing of the Notice of Winding Up for Limited Liability Company, and pursuant to the Missouri Limited Liability Company Act, any and all claims against the Company should be sent by mail to MPact Health, LLC, c/o Polsinelli PC, 2501 Frederick Avenue, Suite 200, St. Joseph, MO 64506, Attention: Mark Woodbury. Each claim should include the following:

(1) a brief description of the nature and basis for your claim; (2) the date(s) when the events on which your claim is based arose; (3) the amount of your claim; (4) the name, address, telephone number and email address (if applicable) of the claimant; and (5) any documentation related to your claim.

Any and all claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of the publication of this Notice.

**NOTICE OF WINDING UP TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
SERVICE CONCEPTS, L.L.C.**

On May 20, 2022, Service Concepts, L.L.C., a Missouri limited liability company, filed its Notice of Winding up for Limited Liability Company with the Missouri Secretary of State. The Notice of Winding Up was effective May 20, 2022.

Said Company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

Robert M. Wise  
16529 Thunderhead Canyon Ct.  
Wildwood, MO 63011

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, the documentation of the claim, and a brief description of the nature of the debt or the basis for the claim.

NOTICE: All claims against Service Concepts, L.L.C., will be barred unless commenced within three years after the date of the publication of this notice.

**NOTICE OF WINDING UP  
AND DISSOLUTION OF  
LIMITED LIABILITY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
COTTAGES SENIOR HOUSING OF BELTON, LLC**

On May 16, 2022, Cottages Senior Housing of Belton, 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 on that 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 Joseph L. Hiersteiner, 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  
AND DISSOLUTION OF  
LIMITED LIABILITY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
COTTAGES SENIOR HOUSING OF KANSAS CITY, LLC**

On May 16, 2022, Cottages Senior Housing of Kansas City, 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 on that 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 Joseph L. Hiersteiner, 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 OF  
AND CLAIMANTS AGAINST  
STEGAR, LLC**

On May 23, 2022, Stegar, LLC, a Missouri limited liability company, filed its Notice of Winding up for Limited Liability Company with the Missouri Secretary of State. The Notice of Winding Up was effective May 23, 2022.

Said Company requests that all persons and organizations who have claims against it present them immediately by letter to the company at:

Gary Delgman  
17 Clarkson Farm Dr.  
Chesterfield, MO 63017

All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, the documentation of the claim, and a brief description of the nature of the debt or the basis for the claim.

NOTICE: All claims against Stegar, LLC, will be barred unless commenced within three years after the date of the publication of this notice.

**NOTICE OF THE WINDING UP AND DISSOLUTION**

**OF**

**TEKTON HOMES, LLC**

On May 18, 2022, Tekton Homes, 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 on that 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 SBLSG Registered Agent, Inc., 2900 NE Brooktree Lane, Suite 100, Kansas City, MO 64119. 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 FOR LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST CRS DEVELOPMENT, LLC**

CRS Development, LLC, a Missouri limited liability company, filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State on May 16, 2022.

Any and all claims against CRS Development, LLC may be sent to William W. Eckelkamp, Jr., P.O. Box 228, Washington, MO 63090. 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; the date(s) on which the event(s) on which the claim is based occurred; and any documentation related to the claim.

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

On May 11, 2022, Concept Electrical Services, LLC, a Missouri limited liability company (the “Company”), filed its Notice of Winding Up with the Missouri Secretary of State. All persons and organizations with claims against the Company must submit a written summary of any claims against the Company to Christopher M. Kehr, Kent Kehr & Associates, PC, 911 South 13th Street, St. Louis, MO 63103. Each claim should include the name, address, and telephone number of the claimant, the amount of the claim, date(s) the claim accrued, a brief description of the nature and basis for the claim, and any documentation of the claim. Claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of this publication.

**NOTICE OF WINDING UP****TO ALL CREDITORS AND CLAIMANTS AGAINST  
COMMISSIONFRONT LLC**

On May 5, 2022, CommissionFront LLC, a Missouri limited liability company, filed a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against CommissionFront LLC, you must submit the claim in writing to: Bryan Bowles, 117 S. Main Street, St. Charles, MO 63301. The claim must include:

1. The name, address, and telephone number of the claimant.
2. The amount of the claim.
3. The date on which the event occurred on which the claim is based.
4. A brief description of the nature of or the basis for the claim.
5. Whether or not the claim was secured and, if so, the collateral used as security.

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

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST C&C MANAGEMENT OF PERRYVILLE, INC.**

On May 19, 2022, C&C Management of Perryville, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on May 19, 2022.

You are hereby notified that if you believe you have a claim against C&C Management of Perryville, Inc., you must submit a summary in writing of the circumstances surrounding your claim to C&C Management of Perryville, Inc. at 1515 E. Malone Ave., Sikeston, Missouri, 63801. 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 C&C Management of Perryville, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST CAPE GIRARDEAU LICENSE BUREAU, INC.**

On May 23, 2022, Cape Girardeau License Bureau, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on May 23, 2022.

You are hereby notified that if you believe you have a claim against Cape Girardeau License Bureau, Inc., you must submit a summary in writing of the circumstances surrounding your claim to Cape Girardeau License Bureau, Inc. at 1515 E. Malone Ave., Sikeston, Missouri, 63801. 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 Cape Girardeau License Bureau, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMS AGAINST BSW SOLUTIONS LLC.**

On 5/17/22, BSW Solutions LLC, a Missouri limited liability company filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against BSW Solutions LLC, you must submit a summary in writing of the circumstances surrounding your claim to BSW Solutions LLC, Attn: Cathy B. Goldsticker, 6 CityPlace Dr., Ste 900, St. Louis, MO 63141. 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; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against BSW Solutions LLC will be barred unless the proceeding to enforce the claim is commenced within 3 years after the publication of this Notice.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND ALL CLAIMANTS AGAINST  
LIGHTHOUSE WEALTH MANAGEMENT GROUP LLC

The name of the limited liability company is Lighthouse Wealth Management Group LLC.

The Articles of Organization for Lighthouse Wealth Management Group LLC were filed with the Missouri Secretary of State on August 13, 2006.

On May 25, 2022, Lighthouse Wealth Management Group LLC filed a Notice of Winding Up for Limited Liability Company with the Secretary of State of Missouri.

Persons with claims against Lighthouse Management Group LLC should present them in accordance with the following procedure:

- (a) In order to file a claim with Lighthouse Wealth Management Group LLC, you must furnish the following:
  - (i) Amount of the claim
  - (ii) Basis for the claim
  - (iii) Documentation of the claim
- (b) The claim must be mailed to:  
Dale Terrell  
115 Wake Forest Drive  
O'Fallon, Missouri 63368

A claim against Lighthouse Wealth Management Group LLC will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST POPLAR BLUFF LICENSE BUREAU, INC.**

On May 25, 2022, Poplar Bluff License Bureau, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on May 25, 2022.

You are hereby notified that if you believe you have a claim against Poplar Bluff License Bureau, Inc., you must submit a summary in writing of the circumstances surrounding your claim to Poplar Bluff License Bureau, Inc. at 1515 E. Malone Ave., Sikeston, Missouri, 63801. 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 Poplar Bluff License Bureau, Inc. will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.

## Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—46 (2021) and 47 (2022). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				45 MoReg 1926
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		47 MoReg 225		
1 CSR 40-1.050	Purchasing and Materials Management		47 MoReg 549		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-10.010	Animal Health	47 MoReg 221	47 MoReg 231	47 MoReg 837	
2 CSR 60-4.110	Grain Inspection and Warehousing		47 MoReg 823		
2 CSR 60-5.100	Grain Inspection and Warehousing		47 MoReg 824		
2 CSR 90-60.020	Weights, Measures and Consumer Protection		47 MoReg 231	47 MoReg 786	
2 CSR 90-60.030	Weights, Measures and Consumer Protection		47 MoReg 231	47 MoReg 786	
2 CSR 90-61.010	Weights, Measures and Consumer Protection		47 MoReg 232	47 MoReg 786	
2 CSR 90-63.010	Weights, Measures and Consumer Protection		47 MoReg 232	47 MoReg 786	
2 CSR 90-63.020	Weights, Measures and Consumer Protection		47 MoReg 233	47 MoReg 787	
2 CSR 90-64.010	Weights, Measures and Consumer Protection		47 MoReg 235	47 MoReg 787	
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-7.433	Conservation Commission			47 MoReg 837	
			This Issue		
3 CSR 10-7.435	Conservation Commission			This Issue	
3 CSR 10-7.437	Conservation Commission			This Issue	
3 CSR 10-7.440	Conservation Commission			47 MoReg 634	
3 CSR 10-7.450	Conservation Commission		47 MoReg 67	47 MoReg 635	
3 CSR 10-7.600	Conservation Commission			This Issue	
3 CSR 10-7.705	Conservation Commission			47 MoReg 636	
			This Issue		
3 CSR 10-7.710	Conservation Commission			47 MoReg 637	
3 CSR 10-7.900	Conservation Commission			47 MoReg 637	
3 CSR 10-7.905	Conservation Commission			47 MoReg 637	
3 CSR 10-8.510	Conservation Commission		47 MoReg 68	47 MoReg 638	
3 CSR 10-8.515	Conservation Commission		47 MoReg 118	47 MoReg 639	
3 CSR 10-12.109	Conservation Commission		47 MoReg 475	This Issue	
3 CSR 10-12.110	Conservation Commission		47 MoReg 475	This Issue	
3 CSR 10-12.115	Conservation Commission		47 MoReg 476	This Issue	
3 CSR 10-12.125	Conservation Commission		47 MoReg 477	This Issue	
3 CSR 10-12.135	Conservation Commission		47 MoReg 478	This Issue	
3 CSR 10-12.140	Conservation Commission		47 MoReg 478	This Issue	
3 CSR 10-12.145	Conservation Commission		47 MoReg 482	This Issue	
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-100.130	Division of Learning Services		47 MoReg 412		
5 CSR 20-100.140	Division of Learning Services		47 MoReg 413R		
5 CSR 20-100.210	Division of Learning Services		47 MoReg 530		
5 CSR 20-200.265	Division of Learning Services		47 MoReg 68	47 MoReg 747	
5 CSR 20-200.310	Division of Learning Services <i>formerly 5 CSR 20-500.330</i>		47 MoReg 69	47 MoReg 747	
5 CSR 20-300.110	Division of Learning Services			47 MoReg 747	
5 CSR 20-500.250	Division of Learning Services		47 MoReg 780		
5 CSR 20-500.330	Division of Learning Services <i>moved to 5 CSR 20-200.310</i>		47 MoReg 69	47 MoReg 747	
5 CSR 30-4.030	Division of Financial and Administrative Services			This Issue	
5 CSR 30-660.090	Division of Financial and Administrative Services	47 MoReg 779	47 MoReg 784		
<b>DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT</b>					
6 CSR 10-2.190	Commissioner of Higher Education	47 MoReg 473			
6 CSR 10-12.010	Commissioner of Higher Education		47 MoReg 623		
6 CSR 10-13.010	Commissioner of Higher Education		47 MoReg 626		
<b>MISSOURI DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-1.010	Missouri Highways and Transportation Commission		47 MoReg 551		
7 CSR 10-11.020	Missouri Highways and Transportation Commission		47 MoReg 554		
7 CSR 60-2.010	Highway Safety and Traffic Division		47 MoReg 824		
7 CSR 60-2.020	Highway Safety and Traffic Division		47 MoReg 826		
7 CSR 60-2.030	Highway Safety and Traffic Division		47 MoReg 826		
7 CSR 60-2.040	Highway Safety and Traffic Division		47 MoReg 827		
7 CSR 60-2.050	Highway Safety and Traffic Division		47 MoReg 827		
7 CSR 60-2.060	Highway Safety and Traffic Division		47 MoReg 828		
7 CSR 60-3.010	Highway Safety and Traffic Division		47 MoReg 828R		
			47 MoReg 828		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 20-2.010	Labor and Industrial Relations Commission		47 MoReg 413		
8 CSR 20-3.030	Labor and Industrial Relations Commission		47 MoReg 414		
8 CSR 40-1.010	State Board of Mediation		47 MoReg 482		
8 CSR 40-2.010	State Board of Mediation		47 MoReg 483		
8 CSR 40-2.020	State Board of Mediation		47 MoReg 483R		
8 CSR 40-2.025	State Board of Mediation		47 MoReg 483		
8 CSR 40-2.030	State Board of Mediation		47 MoReg 484		
8 CSR 40-2.040	State Board of Mediation		47 MoReg 484R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
8 CSR 40-2.050	State Board of Mediation		47 MoReg 485R		
8 CSR 40-2.055	State Board of Mediation		47 MoReg 485R		
8 CSR 40-2.060	State Board of Mediation		47 MoReg 485R		
8 CSR 40-2.070	State Board of Mediation		47 MoReg 485		
8 CSR 40-2.080	State Board of Mediation		47 MoReg 486		
8 CSR 40-2.090	State Board of Mediation		47 MoReg 486		
8 CSR 40-2.100	State Board of Mediation		47 MoReg 486		
8 CSR 40-2.120	State Board of Mediation		47 MoReg 487		
8 CSR 40-2.130	State Board of Mediation		47 MoReg 487		
8 CSR 40-2.140	State Board of Mediation		47 MoReg 487		
8 CSR 40-2.150	State Board of Mediation		47 MoReg 489		
8 CSR 40-2.160	State Board of Mediation		47 MoReg 489		
8 CSR 40-2.170	State Board of Mediation		47 MoReg 490		
8 CSR 40-2.180	State Board of Mediation		47 MoReg 490		
8 CSR 50-5.007	Division of Workers' Compensation		47 MoReg 119	This IssueW	
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-5.206	Director, Department of Mental Health		47 MoReg 555		
9 CSR 10-5.220	Director, Department of Mental Health		47 MoReg 561		
9 CSR 30-4.005	Certification Standards		47 MoReg 562		
9 CSR 30-4.035	Certification Standards		47 MoReg 562		
9 CSR 30-4.043	Certification Standards		47 MoReg 565		
9 CSR 30-4.0431	Certification Standards		47 MoReg 568		
9 CSR 30-4.0432	Certification Standards		47 MoReg 569		
9 CSR 30-4.045	Certification Standards		47 MoReg 571		
9 CSR 30-4.046	Certification Standards		47 MoReg 573		
9 CSR 30-4.190	Certification Standards		47 MoReg 574		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-5.490	Air Conservation Commission		46 MoReg 2249	47 MoReg 787	
10 CSR 10-6.062	Air Conservation Commission		46 MoReg 2260	47 MoReg 788	
10 CSR 10-6.210	Air Conservation Commission		47 MoReg 235		
10 CSR 10-6.310	Air Conservation Commission		46 MoReg 2263	47 MoReg 788	
10 CSR 140-4.010	Division of Energy				This Issue
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR	Notice of Periodic Rule Review				This Issue
11 CSR 30-7.020	Missouri Gaming Commission		47 MoReg 14	47 MoReg 640	
11 CSR 45-1.090	Missouri Gaming Commission		47 MoReg 491		
11 CSR 45-5.184	Missouri Gaming Commission		47 MoReg 306		
11 CSR 45-5.190	Missouri Gaming Commission		47 MoReg 493		
11 CSR 45-5.210	Missouri Gaming Commission		47 MoReg 493		
11 CSR 45-5.215	Missouri Gaming Commission		47 MoReg 494		
11 CSR 45-5.225	Missouri Gaming Commission		47 MoReg 495		
11 CSR 45-5.265	Missouri Gaming Commission		47 MoReg 307		
11 CSR 45-9.104	Missouri Gaming Commission		47 MoReg 307		
11 CSR 45-9.108	Missouri Gaming Commission		47 MoReg 496		
11 CSR 45-9.118	Missouri Gaming Commission		47 MoReg 496		
11 CSR 45-9.119	Missouri Gaming Commission		47 MoReg 497		
11 CSR 45-9.121	Missouri Gaming Commission		47 MoReg 500		
11 CSR 50-2.080	Missouri State Highway Patrol		47 MoReg 626		
11 CSR 50-2.150	Missouri State Highway Patrol		47 MoReg 627		
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11 CSR 50-2.320	Missouri State Highway Patrol		47 MoReg 628		
11 CSR 70-2.010	Division of Alcohol and Tobacco Control		47 MoReg 310		
11 CSR 70-2.020	Division of Alcohol and Tobacco Control		47 MoReg 311		
11 CSR 70-2.030	Division of Alcohol and Tobacco Control		47 MoReg 312		
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11 CSR 90-2.010	Missouri 911 Service Board	46 MoReg 1713	46 MoReg 1759 47 MoReg 236	47 MoReg 789	
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12 CSR 10-8.010	Director of Revenue		47 MoReg 70R	47 MoReg 748R	
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12 CSR 10-8.160	Director of Revenue		47 MoReg 71R	47 MoReg 748R	
12 CSR 10-8.170	Director of Revenue		47 MoReg 71R	47 MoReg 748R	
12 CSR 10-8.180	Director of Revenue		47 MoReg 71R	47 MoReg 749R	
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12 CSR 30-4.010	Sate Tax Commission		47 MoReg 122	47 MoReg 749	
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13 CSR 65-2.020	Missouri Medicaid and Audit Compliance	47 MoReg 543	47 MoReg 574		
13 CSR 70-3.120	MO HealthNet Division		46 MoReg 1675 47 MoReg 237	47 MoReg 789	

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13 CSR 70-3.200	MO HealthNet Division	46 MoReg 1715	46 MoReg 1774		
13 CSR 70-3.230	MO HealthNet Division		47 MoReg 22	47 MoReg 750	
13 CSR 70-3.320	MO HealthNet Division		This Issue		
13 CSR 70-3.330	MO HealthNet Division		47 MoReg 22	47 MoReg 789	
13 CSR 70-4.051	MO HealthNet Division		This IssueR		
13 CSR 70-4.100	MO HealthNet Division		46 MoReg 1676 47 MoReg 238	47 MoReg 791	
13 CSR 70-4.110	MO HealthNet Division		46 MoReg 1677 47 MoReg 238	47 MoReg 791	
13 CSR 70-4.120	MO HealthNet Division		46 MoReg 1678 47 MoReg 240	47 MoReg 791	
13 CSR 70-5.010	MO HealthNet Division		This Issue		
13 CSR 70-15.020	MO HealthNet Division		46 MoReg 1679 47 MoReg 241	47 MoReg 837	
13 CSR 70-15.030	MO HealthNet Division		47 MoReg 241	47 MoReg 791	
13 CSR 70-65.010	MO HealthNet Division		46 MoReg 1685 47 MoReg 242	47 MoReg 792	
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15 CSR 50-5.010	Treasurer	47 MoReg 731	47 MoReg 318	47 MoReg 838	
15 CSR 50-5.020	Treasurer	47 MoReg 731	47 MoReg 318	47 MoReg 838	
15 CSR 50-5.030	Treasurer	47 MoReg 735	47 MoReg 322	47 MoReg 841	
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19 CSR 15-4.010	Division of Senior and Disability Services		47 MoReg 331		
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19 CSR 15-6.020	Division of Senior and Disability Services		47 MoReg 355R		
19 CSR 15-6.025	Division of Senior and Disability Services <i>moved to 19 CSR 15-4.440</i>		47 MoReg 355		
19 CSR 15-7.040	Division of Senior and Disability Services <i>moved to 19 CSR 15-4.410</i>		47 MoReg 356		
19 CSR 15-7.050	Division of Senior and Disability Services <i>moved to 19 CSR 15-4.295</i>		47 MoReg 358		
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19 CSR 73-2.085	Missouri Board of Nursing Home Administrators		47 MoReg 25	47 MoReg 641	
19 CSR 73-2.110	Missouri Board of Nursing Home Administrators		47 MoReg 25	47 MoReg 641	
19 CSR 73-2.120	Missouri Board of Nursing Home Administrators		47 MoReg 26	47 MoReg 641	
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20 CSR	Applied Behavior Analysis Maximum Benefit				47 MoReg 385
20 CSR	Construction Claims Binding Arbitration Cap				47 MoReg 43
20 CSR	Non-Economic Damages in Medical Malpractice Cap				47 MoReg 385
20 CSR	Sovereign Immunity Limits				47 MoReg 43
20 CSR	State Legal Expense Fund Cap				47 MoReg 43
20 CSR 500-1.100	Property and Casualty		46 MoReg 2328	47 MoReg 750	
20 CSR 700-1.130	Insurance Licensing		46 MoReg 2329	47 MoReg 641	
20 CSR 700-3.200	Insurance Licensing		46 MoReg 2329	47 MoReg 750	
20 CSR 2010-4.020	Missouri State Board of Accountancy		47 MoReg 72	47 MoReg 750	
20 CSR 2010-5.070	Missouri State Board of Accountancy		47 MoReg 500		
20 CSR 2010-5.080	Missouri State Board of Accountancy		47 MoReg 500		
20 CSR 2010-5.090	Missouri State Board of Accountancy		47 MoReg 501R		
20 CSR 2010-5.100	Missouri State Board of Accountancy		47 MoReg 501		
20 CSR 2010-5.110	Missouri State Board of Accountancy		47 MoReg 502		
20 CSR 2030-16.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 242	47 MoReg 795	
20 CSR 2030-16.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 243	47 MoReg 795	
20 CSR 2030-19.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 243	47 MoReg 795	
20 CSR 2030-19.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 244	47 MoReg 795	
20 CSR 2030-20.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		47 MoReg 246	47 MoReg 795	
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20 CSR 2110-2.050	Missouri Dental Board		This Issue		
20 CSR 2110-2.120	Missouri Dental Board		47 MoReg 580		
20 CSR 2110-2.240	Missouri Dental Board		47 MoReg 503		
20 CSR 2110-4.020	Missouri Dental Board		47 MoReg 503		
20 CSR 2115-2.062	State Committee of Dietitians		47 MoReg 73R	47 MoReg 641R	
20 CSR 2145-1.040	Missouri Board of Geologist Registration		47 MoReg 784		
20 CSR 2150-5.100	State Board of Registration for the Healing Arts	47 MoReg 621			
20 CSR 2150-7.100	State Board of Registration for the Healing Arts		46 MoReg 2330	47 MoReg 642	
20 CSR 2150-7.122	State Board of Registration for the Healing Arts		46 MoReg 2330	47 MoReg 642	
20 CSR 2150-7.125	State Board of Registration for the Healing Arts		46 MoReg 2331	47 MoReg 642	
20 CSR 2150-7.130	State Board of Registration for the Healing Arts		46 MoReg 2331	47 MoReg 642	
20 CSR 2150-7.135	State Board of Registration for the Healing Arts	47 MoReg 745	46 MoReg 2332	47 MoReg 642	
20 CSR 2150-7.140	State Board of Registration for the Healing Arts		46 MoReg 2334	47 MoReg 643	
20 CSR 2150-7.300	State Board of Registration for the Healing Arts		46 MoReg 2335	47 MoReg 643	
20 CSR 2150-7.320	State Board of Registration for the Healing Arts		46 MoReg 2335	47 MoReg 643	
20 CSR 2165-2.010	Board of Examiners for Hearing Instrument Specialists		This Issue		
20 CSR 2165-2.025	Board of Examiners for Hearing Instrument Specialists		This Issue		
20 CSR 2165-2.035	Board of Examiners for Hearing Instrument Specialists		47 MoReg 73R	47 MoReg 643R	
20 CSR 2165-2.040	Board of Examiners for Hearing Instrument Specialists		This IssueR		
20 CSR 2165-2.060	Board of Examiners for Hearing Instrument Specialists		This Issue		
20 CSR 2200-2.001	State Board of Nursing		47 MoReg 415		
20 CSR 2200-2.010	State Board of Nursing		47 MoReg 417		
20 CSR 2200-2.030	State Board of Nursing		47 MoReg 418		
20 CSR 2200-2.035	State Board of Nursing		47 MoReg 419		
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20 CSR 2200-2.120	State Board of Nursing		47 MoReg 422		
20 CSR 2200-2.130	State Board of Nursing		47 MoReg 423		
20 CSR 2200-2.180	State Board of Nursing		47 MoReg 423		
20 CSR 2200-3.001	State Board of Nursing		47 MoReg 424		
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20 CSR 2200-3.130	State Board of Nursing		47 MoReg 431		
20 CSR 2200-3.180	State Board of Nursing		47 MoReg 432		
20 CSR 2200-4.200	State Board of Nursing	47 MoReg 622			
20 CSR 2200-8.001	State Board of Nursing		47 MoReg 433		
20 CSR 2200-8.010	State Board of Nursing		47 MoReg 434		
20 CSR 2200-8.030	State Board of Nursing		47 MoReg 435		
20 CSR 2200-8.035	State Board of Nursing		47 MoReg 436		
20 CSR 2200-8.040	State Board of Nursing		47 MoReg 436		
20 CSR 2200-8.060	State Board of Nursing		47 MoReg 436		
20 CSR 2200-8.070	State Board of Nursing		47 MoReg 437		
20 CSR 2200-8.080	State Board of Nursing		47 MoReg 438		
20 CSR 2200-8.085	State Board of Nursing		47 MoReg 438		
20 CSR 2200-8.100	State Board of Nursing		47 MoReg 438		
20 CSR 2200-8.120	State Board of Nursing		47 MoReg 440		
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20 CSR 2200-8.180	State Board of Nursing		47 MoReg 441		
20 CSR 2210-2.030	State Board of Optometry		47 MoReg 580		
20 CSR 2220-2.010	State Board of Pharmacy		47 MoReg 362		
20 CSR 2220-2.011	State Board of Pharmacy		47 MoReg 442		
20 CSR 2220-2.012	State Board of Pharmacy		47 MoReg 442		
20 CSR 2220-2.090	State Board of Pharmacy		47 MoReg 372		
20 CSR 2220-2.200	State Board of Pharmacy	47 MoReg 409	47 MoReg 444		
20 CSR 2220-2.685	State Board of Pharmacy		47 MoReg 835		
20 CSR 2220-7.010	State Board of Pharmacy		This Issue		
20 CSR 2220-7.030	State Board of Pharmacy		This Issue		
20 CSR 2230-2.030	State Board of Podiatric Medicine		47 MoReg 504		
20 CSR 2231-1.010	Division of Professional Registration		47 MoReg 835		
20 CSR 2231-2.010	Division of Professional Registration		47 MoReg 835		
20 CSR 2231-3.020	Division of Professional Registration		47 MoReg 74	47 MoReg 796	
20 CSR 2234-5.010	Board of Private Investigator and Private Fire Investigator Examiners		This Issue		
20 CSR 2245-3.020	Real Estate Appraisers		47 MoReg 127	47 MoReg 750	
20 CSR 2250-8.070	Missouri Real Estate Commission		47 MoReg 633		
20 CSR 2263-2.030	State Committee for Social Workers		47 MoReg 375	This Issue	
20 CSR 2263-2.031	State Committee for Social Workers		This Issue		
20 CSR 2263-2.050	State Committee for Social Workers		47 MoReg 375	This Issue	
20 CSR 2270-2.072	Missouri Veterinary Medical Board		47 MoReg 74R	47 MoReg 643R	

# Emergency Rule Table

Agency	Publication	Effective	Expiration
<b>Department Agriculture</b>			
<b>Animal Health</b>			
2 CSR 30-10.010	Inspection of Meat and Poultry . . . . .	.47 MoReg 221 . . . . .	Jan. 26, 2022 . . . . . July 24, 2022
<b>Department of Elementary and Secondary Education</b>			
<b>Divisional of Financial and Administrative Services</b>			
5 CSR 30-660.090	Charter School Local Education Agency (LEA) Attendance Hour Reporting . . . . .	.47 MoReg 779 . . . . .	May 3, 2022 . . . . . Feb. 9, 2023
<b>Department of Higher Education and Workforce Development</b>			
<b>Commissioner of Higher Education</b>			
6 CSR 10-2.190	A+ Scholarship Program . . . . .	.47 MoReg 473 . . . . .	March 3, 2022 . . . . . Aug. 29, 2022
<b>Department of Social Services</b>			
<b>Missouri Medicaid Audit and Compliance</b>			
13 CSR 65-2.020	Provider Enrollment and Application . . . . .	.47 MoReg 543 . . . . .	March 30, 2022 . . . . . Sept. 26, 2022
<b>MO HealthNet Division</b>			
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Methodology . . . . .	Next Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
13 CSR 70-15.015	Direct Medicaid Payments . . . . .	Next Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	Next Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
13 CSR 70-15.160	Outpatient Hospital Services Reimbursement Methodology . . . . .	Next Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
13 CSR 70-15.190	Out-of-State Hospital Services Reimbursement Plan . . . . .	Aug. 1, 2022 Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
13 CSR 70-15.220	Disproportionate Share Hospital (DSH) Payments . . . . .	Aug. 1, 2022 Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
13 CSR 70-15.230	Upper Payment Limit (UPL) Payment Methodology . . . . .	Next Issue . . . . .	July 1, 2022 . . . . . Feb. 23, 2023
<b>Elected Officials</b>			
<b>Treasurer</b>			
15 CSR 50-5.010	General Organization . . . . .	.47 MoReg 731 . . . . .	April 25, 2022 . . . . . July 30, 2022
15 CSR 50-5.020	Missouri Empowerment Scholarship Accounts Program . . . . .	.47 MoReg 731 . . . . .	April 25, 2022 . . . . . July 30, 2022
15 CSR 50-5.030	Tax Credit Program . . . . .	.47 MoReg 735 . . . . .	April 25, 2022 . . . . . July 30, 2022
15 CSR 50-5.040	Audits and Reporting Requirements . . . . .	.47 MoReg 738 . . . . .	April 25, 2022 . . . . . July 30, 2022
15 CSR 50-5.050	Educational Assistance Organizations . . . . .	.47 MoReg 742 . . . . .	April 25, 2022 . . . . . July 30, 2022
<b>Department of Commerce and Insurance</b>			
<b>State Board of Registration for the Healing Arts</b>			
20 CSR 2150-5.100	Collaborative Practice Arrangement with Nurses . . . . .	.47 MoReg 621 . . . . .	April 11, 2022 . . . . . Oct. 7, 2022
<b>State Board of Nursing</b>			
20 CSR 2200-4.200	Collaborative Practice . . . . .	.47 MoReg 622 . . . . .	April 11, 2022 . . . . . Oct. 7, 2022
<b>State Board of Pharmacy</b>			
20 CSR 2220-2.200	Sterile Compounding . . . . .	.47 MoReg 409 . . . . .	Feb. 24, 2022 . . . . . Aug. 22, 2022
20 CSR 2220-2.400	Compounding Standards of Practice . . . . .	Next Issue . . . . .	June 21, 2022 . . . . . Dec. 17, 2022

# Executive Orders

Executive Orders	Subject Matter	Filed Date	Publication
<u>2022</u>			
22-03	Terminates the State of Emergency declared in Executive Order 22-02.	February 7, 2022	47 MoReg 411
22-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems.	February 1, 2022	47 MoReg 304
22-01	Establishes and Designates the Missouri Early Childhood State Advisory Council.	January 7, 2022	47 MoReg 222
<u>2021</u>			
21-13	Creates and establishes the Missouri Supply Chain Task Force.	November 22, 2021	47 MoReg 12
21-12	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government.	November 5, 2021	46 MoReg 2325
21-11	Orders state offices to be closed on Friday, November 26, 2021.	November 2, 2021	46 MoReg 2241
21-10	Orders steps to oppose federal COVID-19 vaccine mandates within all agencies, boards, commissions, and other entities within the executive branch of state government.	October 28, 2021	46 MoReg 2239
21-09	Terminates the state of emergency declared in Executive Order 20-02, declares a state of emergency, suspends certain regulations related to telemedicine and physical presence for executing documents, and allows state agencies to waive some regulatory requirements.	August 27, 2021	46 MoReg 1727
21-08	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	August 10, 2021	46 MoReg 1673
<b>Proclamation</b>	Convenes the First Extra Session of the First Regular Session of the One Hundred and First General Assembly for extending the Federal Reimbursement Allowances (FRA) and related allowances, taxes, and assessments necessary for funding MO HealthNet	June 22, 2021	46 MoReg 1447
21-07	Extends Executive Order 20-02, Executive Order 20-04, Executive Order 20-05, Executive Order 20-06, and Executive Order 20-14 until August 31, 2021	March 26, 2021	46 MoReg 750
21-06	Creates and establishes the Show Me Strong Recovery Task Force and rescinds Executive Order	March 22, 2021	46 MoReg 748
21-05	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	February 24, 2021	46 MoReg 605
21-04	Extends Executive Order 21-03 until February 28, 2021 and terminates Executive Order 20-17.	February 19, 2021	46 MoReg 603
21-03	Declares a State of Emergency and exempts hours of service requirements for vehicles transporting residential heating fuel until February 21, 2021	February 11, 2021	46 MoReg 495
21-02	Establishes the Office of Childhood within the Department of Elementary and Secondary Education	January 28, 2021	46 MoReg 394
21-01	Terminates Executive Orders 03-11 and 02-05, and modifies provisions of Executive Order 05-06	January 7, 2021	46 MoReg 314

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

**ADMINISTRATION, OFFICE OF**

leaves of absence; 1 CSR 20-5.020; 2/15/22  
procedures for solicitation, receipt of bids, and award and administration of contracts; 1 CSR 40-1.050; 4/15/22  
state official's salary compensation schedule; 1 CSR 10; 12/1/20

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## **Rulemaking Classes**

**Are you new to rulemaking or in need of a refresher course to assist you in filing rules or understanding the rulemaking process?**

**The Administrative Rules Division offers group and individual classes for rule drafting and preparation of rule packets. Please call Curtis at (573) 751-2022 or email [curtis.treat@sos.mo.gov](mailto:curtis.treat@sos.mo.gov) to schedule a class.**

*We offer both in-person and virtual classes.*

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