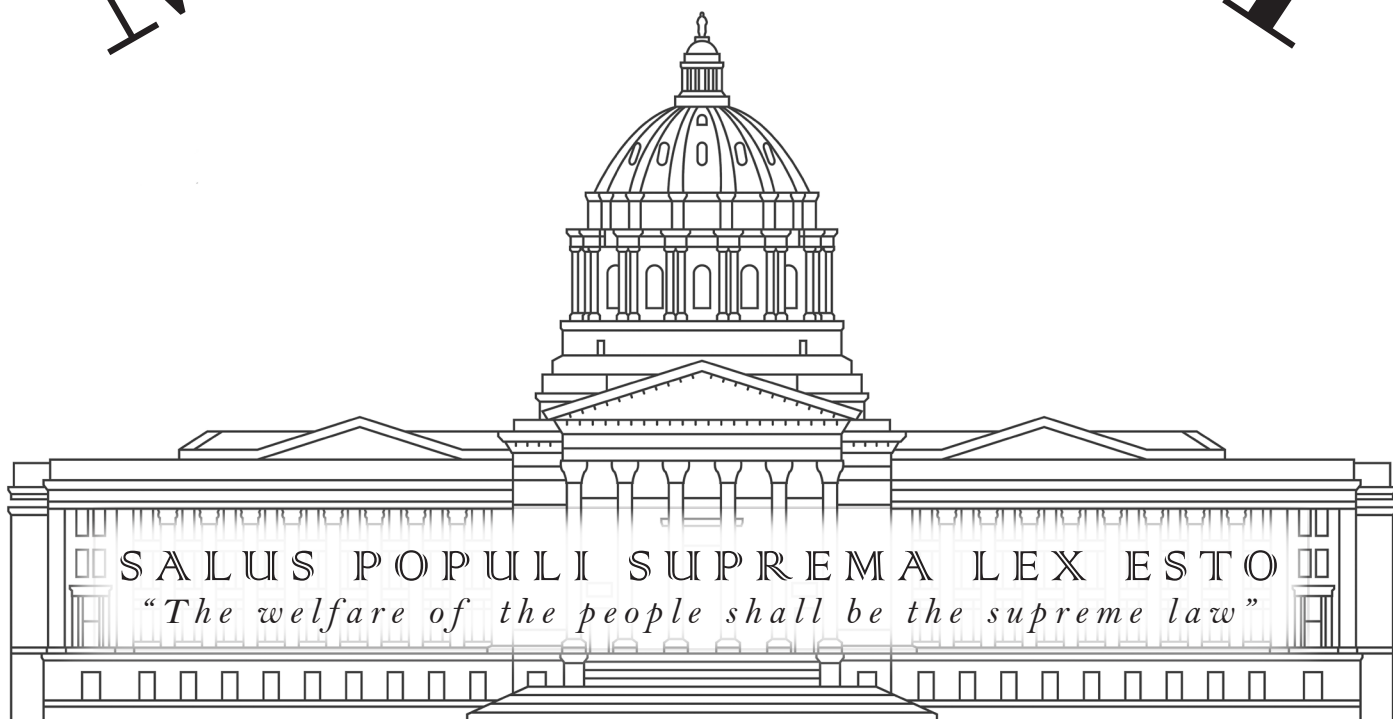


Volume 50, Number 7  
Pages 461–520

April 1, 2025

# MISSOURI



# REGISTER

Denny Hoskins  Secretary of State

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The *Missouri Register* is published semi-monthly by

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# MISSOURI



# REGISTER

April 1, 2025

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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](https://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*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the United States Constitutions; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES**  
**Division 70 – MO HealthNet Division**  
**Chapter 94 – Rural Health Clinic**  
**Program**

**EMERGENCY AMENDMENT**

**13 CSR 70-94.020 Provider-Based Rural Health Clinic.** The division is amending sections (1), (2), (3), (4), (5), and (6) and removing sections (7), (8), (9), (10), and (11).

*PURPOSE:* This amendment changes the reimbursement methodology for Provider-Based Rural Health Clinics.

*EMERGENCY STATEMENT:* The Department of Social Services (DSS), MO HealthNet Division (MHD) finds that this emergency amendment is necessary to preserve a compelling governmental interest to allow the State Medicaid Agency to pay Provider Based Rural Health Clinics (PBRHC) under the new reimbursement methodology effective January 1, 2025. MHD has been working with the Centers for Medicare & Medicaid Services (CMS) for the past year on an agreeable payment methodology. CMS approval of the payment methodology is required to obtain federal financial participation in the Medicaid program. As a result, the MHD finds a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, will be published in an upcoming issue of the Missouri Register. The scope of this emergency amendment is

limited to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. The MHD believes this emergency amendment to be fair to all interested parties under the circumstances. An Emergency amendment was filed March 3, 2025, becomes effective March 17, 2025, and expires September 12, 2025.

(1) General Principles.

(A) The MO HealthNet program shall reimburse Provider-Based Rural Health Clinics (PBRHC) based on the reasonable cost incurred by the PBRHC to provide covered services, within program limitations, related to the care of MO HealthNet participants less any copayment or other third party liability amounts that may be due from the MO HealthNet-eligible individual.

(B) [Reasonable costs shall be determined by the division based on a review of the applicable cost reports.] Reasonable costs shall not exceed the Medicare cost principles set forth in 42 Code of Federal Regulations (CFR) parts 405 and 413, **except the Medicare cost limits or caps imposed under 42 CFR 405.2462 will not apply to the prospective rates calculated by the MO HealthNet Division.**

(C) [The Medicaid charges used to determine the cost, and the payments used to determine the final settlement, will be the charges and payments extracted from the Medicaid paid claims history for reimbursable services paid on a percentage basis.] **Non-allowable Costs.** Costs not related to PBRHC services shall not be included. Non-allowable cost areas include, but are not limited to, the following:

1. Federal Reimbursement Allowance (FRA) Tax;
2. Bad debts, charity care, and courtesy allowances;
3. Capital cost increases due solely to changes in ownership;
4. Amortization on intangible assets, such as goodwill, leasehold rights, covenants, but excluding organizational costs;
5. Attorney fees related to litigation involving state, local, or federal governmental entities and attorney's fees that are not related to the provision of PBRHC services, such as litigation related to disputes between or among owners, operators, or administrators;
6. Central office or pooled costs not attributable to the efficient and economical operation of the PBRHC;
7. Costs such as legal fees, accounting costs, administration costs, travel costs, and the costs of feasibility studies that are attributable to the negotiation or settlement of the sale or purchase of any capital asset by acquisition or merger for which any payment has been previously made under the program;
8. Late charges and penalties;
9. Finders fees;
10. Fund-raising expenses;
11. Interest expense on intangible assets;
12. Religious items or supplies, or services of a primarily religious nature performed by priests, rabbis, ministers, or other similar types of professionals. Costs associated with portions of the physical plant used primarily for religious functions are also non-allowable;
13. Research costs;
14. Salaries, wages, or fees paid to non-working officers, employees, or consultants;
15. Value of services (imputed or actual) rendered by non-paid workers or volunteers; and
16. Costs of services performed in a satellite clinic, which does not have a valid MO HealthNet participation agreement with the Department of Social Services for the

purpose of providing PBRHC services to MO HealthNet participants.

(2) Definitions. [The following definitions shall apply for the purpose of this rule:]

(A) [“Audit” refers to the division’s or its authorized contractor’s audit of a hospital’s Medicaid cost report;] **Alternative Prospective Payment System (APPS) Rate.** A reimbursement rate that is an alternative to the standard Prospective Payment System (PPS) rate established in accordance with section 1902(bb) of the Social Security Act.

(B) [Division. Unless otherwise designated, “division” refers to the MO HealthNet Division, a division of the Department of Social Services charged with the administration of the MO HealthNet program;] **Audit.** The division’s or its authorized contractor’s audit of a hospital’s Medicaid cost report.

(C) [Cost-to-Charge Ratio (CCR). The CCR is determined by dividing the PBRHC cost by the PBRHC charges from the hospital’s Medicaid Cost Report Worksheet C Part I;] **Base Years Fiscal Years (FY) 1 & FY 2** for current providers. Fiscal years 1999 and 2000.

(D) [Fiscal Year (FY). The clinic’s fiscal reporting period that corresponds with the fiscal year of the hospital where the clinic is based;] **Base Years FY 1 & FY 2** for new providers who do not have a 1999 and 2000 cost report. Two (2) fiscal years subsequent to the first year of business as a PBRHC.

(E) [PBRHC. A clinic that is an integral part of a hospital, eligible for certification as a Medicare rural health clinic in accordance with 42 CFR 405 and 491, and operates with other departments of a hospital;] **Change in Scope of Service.** A change in the type, intensity, duration, or amount of service.

(F) [Generally Accepted Accounting Principles (GAAP). Accounting conventions, rules, and procedures necessary to describe accepted accounting practice at a particular time promulgated by the authoritative body establishing those principles;] **Division.** Unless otherwise designated, division refers to the MO HealthNet Division, a division of the Department of Social Services charged with the administration of MO HealthNet program.

(G) [Medicaid Cost Report. Shall be the cost reports defined in 13 CSR 70-15.010(2)(F), 13 CSR 70-15.010(5), and Missouri’s supplemental cost report schedules.] **Fiscal Year (FY).** The clinic’s fiscal reporting period that corresponds with the fiscal year of the hospital where the clinic is based.

(H) [Provider or facility. A PBRHC with a valid MO HealthNet participation agreement in effect with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet-eligible participants; and] **Fourth Prior Year Cost Report.** The Medicaid cost report for the fourth year prior to the SFY that the rate is effective (i.e. for SFY 2025, the fourth prior year cost report is the FY 2021 cost report).

(I) [Incorporation by reference. This rule incorporates by reference the following:

1. 42 CFR Chapter IV, Part 405, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, and which is located on the website of the U.S. Government Publishing Office at <https://www.govinfo.gov/content/pkg/CFR-2000-title42-vol2/pdf/CFR-2000-title42-vol2-part405.pdf>, October 1, 2000. This rule does not incorporate any subsequent amendments or additions.

2. 42 CFR Chapter IV, Part 491, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, and which is located on the website of the U.S. Government Publishing Office at <https://www.govinfo.gov/content/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5-part491.pdf>, October 1, 2011. This rule does not incorporate any subsequent amendments or additions.

3. 42 CFR Chapter IV, Part 413, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, and which is located on the website of the U.S. Government Publishing Office at <https://www.govinfo.gov/content/pkg/CFR-2011-title42-vol2/pdf/CFR-2011-title42-vol2-part413.pdf>, October 1, 2011. This rule does not incorporate any subsequent amendments or additions.

4. The Rural Health Clinic Manual is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at <https://dssruletracker.mo.gov/dss-proposed-rules/welcome.action>, April 6, 2021. This rule does not incorporate any subsequent amendments or additions.] **Generally Accepted Accounting Principles (GAAP).** Accounting conventions, rules and procedures necessary to describe accepted accounting practice at a particular time promulgated by the authoritative body establishing those principles.

(J) **Incorporation by reference.** This rule incorporates by reference the following:

1. 42 CFR Chapter IV, Part 405, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2023. This rule does not incorporate any subsequent amendments or additions.

2. 42 CFR Chapter IV, Part 413, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2023. This rule does not incorporate any subsequent amendments or additions.

3. 42 CFR Chapter IV, Part 491, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2024. This rule does not incorporate any subsequent amendments or additions.

4. The Rural Health Clinic Manual is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, September 1, 2023. This rule does not incorporate any subsequent amendments or additions.

(K) **Medicaid Cost Report.** Shall be the cost report defined in 13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Methodology, and Missouri’s supplemental cost report schedules. Each PBRHC shall be individually listed on the hospital’s Medicaid cost report.

(L) **Medicare Economic Index (MEI).** Percentage increase for primary care services.

1. SFY 2024 = 3.8%
2. SFY 2025 = 4.6%
3. SFY 2026 = 3.5%

(M) **PBRHC.** A clinic that is an integral part of a hospital, eligible for certification as a Medicare rural health clinic in accordance with 42 CFR 405 and 491, and operates with other departments of a hospital.

(N) **Prospective Payment System (PPS) Rate.** A reimbursement rate established in accordance with section 1902(bb) of the Social Security Act.

(O) **Provider or facility.** A PBRHC with a valid MO

HealthNet participation agreement in effect with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet eligible participants.

(P) Third Prior Year Cost Report. The Medicaid cost report for the third year prior to the SFY that the rate is effective (i.e. for SFY 2025, the third prior year cost report is the FY 2022 cost report).

(Q) Cost-to-Charge Ratio (CCR). The CCR is determined by dividing the PBRHC cost by the PBRHC charges from the hospital's Medicaid Cost Report Worksheet C Part I.

(3) *[Administrative Actions.]* Reimbursement Methodologies. Effective for dates of service on or after January 1, 2025, PBRHCs shall be reimbursed for covered services furnished to eligible Missouri Medicaid participants under a prospective payment system (PPS). An alternative prospective payment system (APPS) will also be determined for each PBRHC. The payment amount determined under this methodology is agreed to by the Division and the PBRHCs and results in a payment to the PBRHC of an amount which is at least equal to the PPS rate, with no retrospective settlement.

(A) *[Annual Cost Report.]* Prospective Payment System (PPS). Effective for dates of service on or after January 1, 2025, a PPS rate will be set for each PBRHC according to the methodology outlined below:

1. *[Each PBRHC shall be individually listed on the hospital's Medicaid cost report.]* Determination of final PPS Base Rate.

A. The final PPS base rate for each PBRHC that has base years FY 1 and FY 2 for current providers will be calculated using the Medicaid cost report as follows:

(I) Total allowable cost equals the allowable cost from base year FY 1 for current providers plus the allowable cost from base year FY 2 for current providers;

(II) Total allowable visits equal the allowable visits from base year FY 1 for current providers plus the allowable visits from base year FY 2 for current providers; and

(III) The final PPS base rate equals total allowable cost divided by total allowable visits.

B. The final PPS base rate for each PBRHC that has base years FY 1 and FY 2 for new providers will be calculated using the Medicaid cost report as follows:

(I) Total allowable cost equals the allowable cost from base year FY 1 for new providers plus the allowable cost from base year FY 2 for new providers;

(II) Total allowable visits equal the allowable visits from base year FY 1 for new providers plus the allowable visits from base year FY 2 for new providers; and

(III) The final PPS base rate equals total allowable cost divided by total allowable visits.

C. The division shall adjust the final PPS rate –

(I) By the percentage increase in the MEI applicable to the PBRHC services on July 1 of each year;

(II) In accordance with subsection (3)(C) below:

(a) Upon request and documentation by a PBRHC that there has been a change in scope of services;

(b) Upon review and determination by the division that there has been a change in scope of services; and

2. *[Under no circumstances will the division accept amended cost reports for final settlement determination or adjustment after the date of the division's notification of the final settlement amount.]* Determination of interim PPS Base Rate for a new PBRHC.

A. Until a final PPS rate is established, the division shall calculate an interim PPS rate based on the average

final PPS rates based on the managed care organization region where the PBRHC is located.

(B) *[Records.]* Alternative Payment Methodology (APM). Effective for dates of service on or after January 1, 2025, PBRHCs may be paid an APPS rate. PBRHCs must agree to the APM in order to receive payment in accordance with the APM and the amount paid under the APM must be at least equal to the PPS rate. To choose this method, the PBRHC must make this selection on the written memorandum form provided by the division.

1. *[Maintenance and availability of records.]* Determination of APPS Base Rate.

A. *[A provider must keep records in accordance with GAAP and maintain sufficient internal control and documentation to satisfy audit requirements and other requirements of this regulation, including reasonable requests by the division or its authorized contractor for additional information.]* The final APPS base rate will be calculated for each PBRHC as follows:

(I) Total allowable cost equals the allowable cost from the third prior year Medicaid cost report plus the allowable cost from the fourth prior year Medicaid cost report;

(II) Total allowable visits equal the allowable visits from the third prior year Medicaid cost report plus the allowable visits from the fourth prior year Medicaid cost report; and

(III) PPS base rate equals total allowable cost divided by total allowable visits.

B. *[Adequate documentation for all line items on the cost report shall be maintained by a provider. Upon request, all original documentation and records must be made available for review by the division or its authorized contractor.]* The division shall adjust the final APPS rate:

(I) By the percentage increase in the MEI applicable to the PBRHC services on July 1 of each year;

(II) In accordance with subsection (3)(C) below –

(a) Upon request and documentation by a PBRHC that there has been a change in scope of services;

(b) Upon review and determination by the division that there has been a change in scope of services; and

(III) If necessary, as a result of a desk review or audit.

C. *[Records of related organizations, as defined by 42 CFR 413.17, must be available upon demand.]* The final APPS rate will be rebased every five (5) years (i.e. SFY 2030 will be the first year of rebasing).

*[D. Each facility shall retain all financial information, data, and records relating to the operation and reimbursement of the facility for a period of not less than five (5) years.]*

2. Determination of interim APPS Base Rate for a new PBRHC.

A. Until a final APPS rate is established, the division shall calculate an interim APPS rate based on the average final APPS rates based on the managed care organization region where the PBRHC is located.

(C) Change in Scope of Service

1. To receive a PPS rate adjustment for a proposed increase or decrease in the scope of covered PBRHC services in a future FY as compared to the current year, a provider shall be required to submit a proposal which should include enough information to facilitate an evaluation of the proposed change and its effect on the rate. Any rate change would be effective on the first of the month following the division's decision.

2. To receive an APPS rate adjustment for a proposed

increase or decrease in the scope of covered PBRHC services in a future FY as compared to the current year, a provider shall be required to submit a proposal which should include enough information to facilitate an evaluation of the proposed change and its effect on the rate. Any rate change would be effective on the first of the month following the division's decision. In addition to a change of scope, PBRHCs will have the opportunity to submit a request to increase the APPS rate if costs exceed the APPS rate by fifteen (15) percent or more. Again, documentation must be provided to determine the case for reconsideration of the APPS rate. Any rate change would be effective on the first of the month following the division's decision.

3. A change in scope of service shall be restricted to –

A. Adding or terminating a covered service;

B. Increasing or decreasing the intensity of a covered service; or

C. A statutory or regulatory change that materially impacts the costs or visits of a PBRHC.

4. The following items individually shall not constitute a change in scope:

A. A general increase or decrease in the costs of existing services;

B. A reduction or an expansion of hours per day, days per week, or weeks per year;

C. An addition of a new site that provides the same Medicaid covered services;

D. A wage increase;

E. A renovation or other capital expenditure;

F. A change in ownership; or

G. An addition or termination of a service provided by a non-licensed professional or specialist.

5. A change in covered services shall be either –

A. An addition of a covered service restricted to the addition of a licensed professional staff member who can perform a Medicaid covered service that is not currently being performed within the PBRHC by a licensed professional employed or contracted by the PBRHC; or

B. The termination of a covered service restricted to the deletion of a licensed professional staff member who can perform a Medicaid covered service that was being performed within the PBRHC by the licensed professional staff member.

6. A change in intensity shall –

A. Increase or decrease the existing final rate by at least five (5) percent;

B. Last at least twelve (12) months; and

C. Be submitted to the division in writing.

7. A requested change in scope of service shall –

A. Increase or decrease the existing final rate by at least five (5) percent;

B. Last at least twelve (12) months; and

C. Be submitted to the division in writing.

8. A PBRHC that requests a change in scope of service shall submit the following documents to the division within six (6) months of the change in scope of service:

A. A narrative describing the change in scope of service;

B. Budgeted expenditures and change in total number of visits; and

C. A signed letter requesting the change in scope.

(D) PBRHCs that are an integral part of an out-of-state hospital shall be reimbursed a per visit rate based on the state-wide average rate of PBRHCs that are an integral part of in-state hospitals.

(4) [Non-allowable Costs. Cost not related to PBRHC services shall not be included in a provider's costs. Non-allowable cost areas include, but are not limited to, the following:

(A) Federal Reimbursement Allowance (FRA) Tax;

(B) Bad debts, charity, and courtesy allowances;

(C) Return on equity capital;

(D) Capital cost increases due solely to changes in ownership;

(E) Amortization on intangible assets, such as goodwill, leasehold rights, covenants, but excluding organizational costs;

(F) Attorney fees related to litigation involving state, local, or federal governmental entities and attorneys' fees that are not related to the provision of PBRHC services, such as litigation related to disputes between or among owners, operators, or administrators;

(G) Central office or pooled costs not attributable to the efficient and economical operation of the facility;

(H) Costs such as legal fees, accounting costs, administration costs, travel costs, and the costs of feasibility studies that are attributable to the negotiation or settlement of the sale or purchase of any capital asset by acquisition or merger for which any payment has been previously made under the program;

(I) Late charges and penalties;

(J) Finder's fees;

(K) Fund-raising expenses;

(L) Interest expense on intangible assets;

(M) Religious items or supplies or services of a primarily religious nature performed by priests, rabbis, ministers, or other similar types of professionals. Costs associated with portions of the physical plant used primarily for religious functions are also non-allowable;

(N) Research costs;

(O) Salaries, wages, or fees paid to non-working officers, employees, or consultants;

(P) Value of services (imputed or actual) rendered by non-paid workers or volunteers; and

(Q) Costs of services performed in a satellite clinic, which does not have a valid MO HealthNet participation agreement with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet-eligible participants.

(5) Fee-for-Service (FFS) Claims Payments.

(A) Effective for dates of service beginning July 1 of each year, PBRHC services that are an integral part of the hospital, unless otherwise limited by regulation, shall be reimbursed by MO HealthNet, based on the clinic's usual and customary charges multiplied by the lower of one hundred percent (100%) or one hundred percent (100%) of the PBRHC's cost-to-charge ratio as determined from the third prior year audited Medicaid cost report. These payments shall be reduced by copayments and other third party liabilities.

(6) Interim Managed Care Payments.

(A) A PBRHC in a MO HealthNet managed care region may request an interim payment, on forms provided by the division, prior to the final settlement calculation. This payment is limited to the ten percent (10%) not reimbursed by the managed care health plans for covered services rendered to MO HealthNet managed care participants during the reporting period. The interim payment shall occur on a quarterly basis.

(7) Final Settlement Calculations. Final settlements will only be calculated for dates of service prior to January 1, 2025.

(A) For cost reports with a FY ending in 2021 and forward, the final settlement is calculated as follows:

1. The audited Medicaid cost report that includes each PBRHC's fiscal year shall be used to calculate the final



settlement, in order that the PBRHC's net reimbursement shall equal reasonable costs as described in this section;

2. Fee-for-Service Section.

A. The division takes the PBRHC's allowable Medicaid charges from services paid on a percentage basis multiplied by the PBRHC's cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC claims payments are subtracted. The difference is either an overpayment or an underpayment;

3. Managed Care Section.

A. The division uses the PBRHC Form from the Medicaid Supplemental Packet, which is filed with the hospital cost report, and associated detail for the PBRHC facility to determine charges. These charges are multiplied by the PBRHC's cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC payments associated with above charges are subtracted. If applicable, then subtract any interim payments paid prior to the final settlement. The difference is either an overpayment or an underpayment; and

4. Final Settlement Amount.

A. The division adds together the overpayment or underpayment from the FFS Section and the Managed Care Section and then subtracts any advanced settlement payments, if applicable, to come up with a total overpayment or underpayment which will be the final settlement amount.

(B) For cost reports with a FY ending in 2020 and prior, the final settlement is calculated as follows:

1. The audited Medicare Notice of Program Reimbursement (NPR) cost report that includes each PBRHC's fiscal year shall be used to calculate the final settlement, in order that the PBRHC's net reimbursement shall equal reasonable costs as described in this section. The provider shall provide the NPR upon request from the division;

2. Fee-for-Service Section.

A. The division takes the PBRHC's allowable Medicaid charges from services billed under this rule multiplied by the PBRHC's Medicare NPR cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC FFS claims payments are subtracted. The difference is either an overpayment or an underpayment;

3. Managed Care Section.

A. The division uses the PBRHC Form from the Medicaid Supplemental Packet, which is filed with the hospital cost report, and associated detail for the PBRHC facility to determine charges. These charges are multiplied by the PBRHC's cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC payments associated with above charges are subtracted. If applicable then subtract any interim payments paid prior to the final settlement. The difference is either an overpayment or an underpayment; and

4. Final Settlement Amount.

A. The division adds together the overpayment or underpayment from the FFS Section and the Managed Care Section and then subtracts any advanced settlement payments, if applicable, to come up with a total overpayment or underpayment which will be the final settlement amount.

~~[(8)](5) Reconciliation.~~

(A) The division shall send written notice to the hospital, of which the PBRHC is an integral part, of the following:

1. Underpayments. If the total reimbursement due the PBRHC exceeds the interim payments made for the reporting period, the division makes a lump-sum payment to the PBRHC to bring total interim payments into agreement with total reimbursement due to the PBRHC; and/or

2. Overpayments. If the total interim payments made to the PBRHC for the reporting period exceed the total

reimbursement due from the PBRHC for the period, the division arranges with the PBRHC for repayment through a lump-sum refund, or if that poses a hardship for the PBRHC, through offset against subsequent interim payments or a combination of offset and refund.

~~[(9) Sanctions.~~

(A) ~~The division may impose sanctions against a provider in accordance with 13 CSR 70-3.030 Sanctions for False or Fraudulent Claims for Title XIX Services or any other sanction authorized by state or federal law or regulation.~~

(B) ~~Overpayments due the MO HealthNet program from a provider shall be recovered by the division in accordance with 13 CSR 70-3.030 Sanctions for False or Fraudulent Claims for Title XIX Services.~~

(10) *Appeals.* In accordance with sections 208.156 and 621.055, RSMo, providers may seek hearing before the Administrative Hearing Commission of final decisions of the director, Department of Social Services or the MO HealthNet Division.

(11)~~(6)~~ *Payment Assurance.* The state will pay each PBRHC, which furnishes the services in accordance with the requirements of the state plan, the amount determined for services furnished by the PBRHC according to the standards and methods set forth in the regulations implementing the PBRHC Reimbursement Program.

*AUTHORITY:* sections 208.201 and 660.017, RSMo 2016. Original rule filed June 30, 1995, effective Jan. 30, 1996. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed March 3, 2025, effective March 17, 2025, expires Sept. 12, 2025. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.

*PUBLIC COST:* This proposed amendment will cost state agencies or political subdivisions eight hundred sixty-seven thousand dollars (\$867,000) in the time the emergency is effective.

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

**FISCAL NOTE  
PUBLIC COST**

- I. **Department Title:** 13 Social Services
- Division Title:** 70 MO HealthNet Division
- Chapter Title:** 94 Rural Health Clinic Program

<b>Rule Number and Title:</b>	13 CSR 70-94.020 Provider-Based Rural Health Clinic
<b>Type of Rulemaking:</b>	Emergency Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Other Government (Public) Clinics enrolled in MO HealthNet - 81	Net Estimated Cost for 6 months of SFY 2025: \$0
Department of Social Services, MO HealthNet Division	Net Estimated Cost for 6 months of SFY 2025: \$867 thousand

**III. WORKSHEET**

Department of Social Services, MO HealthNet Division Impact	
Estimated Impact for 6 months of SFY 2025	
Estimated Cost	\$866,579
SFY 2025 Blended FMAP	34.5%
Estimated State Share	\$298,970

**IV. ASSUMPTIONS**

MHD used the claims payments and final settlement amount for 2019 trended to 2024 using the Medicare Economic Index for calendar years 2020 – 2024. This amount was then compared to the SFY 2025 rate times the visits from SFY 2024 to determine the fiscal impact.

The text of proposed rules and changes will appear under this heading. A 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 explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely 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 that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An 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.

If 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*.

An 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.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, 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 13 – DEPARTMENT OF SOCIAL SERVICES  
Division 70 – MO HealthNet Division  
Chapter 94 – Rural Health Clinic  
Program**

**PROPOSED AMENDMENT**

**13 CSR 70-94.020 Provider-Based Rural Health Clinic.** The division is amending section (1), removing sections (2)–(6), (9), and (10), adding new sections (2) and (3), and renumbering as necessary.

*PURPOSE:* This amendment changes the reimbursement methodology for Provider-Based Rural Health Clinics.

(1) General Principles.

*[(B) Reasonable costs shall be determined by the division based on a review of the applicable cost reports. Reasonable costs shall not exceed the Medicare cost principles set forth in 42*

*Code of Federal Regulations (CFR) parts 405 and 413.*

*(C) The Medicaid charges used to determine the cost, and the payments used to determine the final settlement, will be the charges and payments extracted from the Medicaid paid claims history for reimbursable services paid on a percentage basis.]*

**(B) Reasonable costs shall not exceed the Medicare cost principles set forth in 42 Code of Federal Regulations (CFR) Parts 405 and 413, except the Medicare cost limits or caps imposed under 42 CFR 405.2462 will not apply to the prospective rates calculated by the MO HealthNet Division.**

**(C) Non-allowable Costs.** Costs not related to PBRHC services shall not be included. Non-allowable cost areas include, but are not limited to, the following:

1. Federal Reimbursement Allowance (FRA) Tax;
2. Bad debts, charity care, and courtesy allowances;
3. Capital cost increases due solely to changes in ownership;
4. Amortization on intangible assets, such as goodwill, leasehold rights, covenants, but excluding organizational costs;
5. Attorney fees related to litigation involving state, local, or federal governmental entities and attorney's fees that are not related to the provision of PBRHC services, such as litigation related to disputes between or among owners, operators, or administrators;
6. Central office or pooled costs not attributable to the efficient and economical operation of the PBRHC;
7. Costs such as legal fees, accounting costs, administration costs, travel costs, and the costs of feasibility studies that are attributable to the negotiation or settlement of the sale or purchase of any capital asset by acquisition or merger for which any payment has been previously made under the program;
8. Late charges and penalties;
9. Finders fees;
10. Fund-raising expenses;
11. Interest expense on intangible assets;
12. Religious items or supplies, or services of a primarily religious nature performed by priests, rabbis, ministers, or other similar types of professionals. Costs associated with portions of the physical plant used primarily for religious functions are also non-allowable;
13. Research costs;
14. Salaries, wages, or fees paid to non-working officers, employees, or consultants;
15. Value of services (imputed or actual) rendered by non-paid workers or volunteers; and
16. Costs of services performed in a satellite clinic, which does not have a valid MO HealthNet participation agreement with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet participants.

*[(2) Definitions. The following definitions shall apply for the purpose of this rule:*

*(A) "Audit" refers to the division's or its authorized contractor's audit of a hospital's Medicaid cost report;*

*(B) Division. Unless otherwise designated, "division" refers to the MO HealthNet Division, a division of the Department of Social Services charged with the administration of the MO HealthNet program;*

*(C) Cost-to-Charge Ratio (CCR). The CCR is determined by dividing the PBRHC cost by the PBRHC charges from the hospital's Medicaid Cost Report Worksheet C Part I;*

*(D) Fiscal Year (FY). The clinic's fiscal reporting period that corresponds with the fiscal year of the hospital where the clinic*

is based;

(E) PBRHC. A clinic that is an integral part of a hospital, eligible for certification as a Medicare rural health clinic in accordance with 42 CFR 405 and 491, and operates with other departments of a hospital;

(F) Generally Accepted Accounting Principles (GAAP). Accounting conventions, rules, and procedures necessary to describe accepted accounting practice at a particular time promulgated by the authoritative body establishing those principles;

(G) Medicaid Cost Report. Shall be the cost reports defined in 13 CSR 70-15.010(2)(F), 13 CSR 70-15.010(5), and Missouri's supplemental cost report schedules.

(H) Provider or facility. A PBRHC with a valid MO HealthNet participation agreement in effect with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet-eligible participants; and

(I) Incorporation by reference. This rule incorporates by reference the following:

1. 42 CFR Chapter IV, Part 405, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, and which is located on the website of the U.S. Government Publishing Office at <https://www.govinfo.gov/content/pkg/CFR-2000-title42-vol2/pdf/CFR-2000-title42-vol2-part405.pdf>, October 1, 2000. This rule does not incorporate any subsequent amendments or additions.

2. 42 CFR Chapter IV, Part 491, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, and which is located on the website of the U.S. Government Publishing Office at <https://www.govinfo.gov/content/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5-part491.pdf>, October 1, 2011. This rule does not incorporate any subsequent amendments or additions.

3. 42 CFR Chapter IV, Part 413, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, and which is located on the website of the U.S. Government Publishing Office at <https://www.govinfo.gov/content/pkg/CFR-2011-title42-vol2/pdf/CFR-2011-title42-vol2-part413.pdf>, October 1, 2011. This rule does not incorporate any subsequent amendments or additions.

4. The Rural Health Clinic Manual is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at <https://dssruletracker.mo.gov/dss-proposed-rules/welcome.action>, April 6, 2021. This rule does not incorporate any subsequent amendments or additions.

### (3) Administrative Actions.

#### (A) Annual Cost Report.

1. Each PBRHC shall be individually listed on the hospital's Medicaid cost report.

2. Under no circumstances will the division accept amended cost reports for final settlement determination or adjustment after the date of the division's notification of the final settlement amount.

#### (B) Records.

##### 1. Maintenance and availability of records.

A. A provider must keep records in accordance with GAAP and maintain sufficient internal control and documentation to satisfy audit requirements and other requirements of this regulation, including reasonable requests by the division or its authorized contractor for additional information.

B. Adequate documentation for all line items on the cost report shall be maintained by a provider. Upon request, all original documentation and records must be made available for review by the division or its authorized contractor.

C. Records of related organizations, as defined by 42 CFR 413.17, must be available upon demand.

D. Each facility shall retain all financial information, data, and records relating to the operation and reimbursement of the facility for a period of not less than five (5) years.

(4) Non-allowable Costs. Cost not related to PBRHC services shall not be included in a provider's costs. Non-allowable cost areas include, but are not limited to, the following:

(A) Federal Reimbursement Allowance (FRA) Tax;

(B) Bad debts, charity, and courtesy allowances;

(C) Return on equity capital;

(D) Capital cost increases due solely to changes in ownership;

(E) Amortization on intangible assets, such as goodwill, leasehold rights, covenants, but excluding organizational costs;

(F) Attorney fees related to litigation involving state, local, or federal governmental entities and attorneys' fees that are not related to the provision of PBRHC services, such as litigation related to disputes between or among owners, operators, or administrators;

(G) Central office or pooled costs not attributable to the efficient and economical operation of the facility;

(H) Costs such as legal fees, accounting costs, administration costs, travel costs, and the costs of feasibility studies that are attributable to the negotiation or settlement of the sale or purchase of any capital asset by acquisition or merger for which any payment has been previously made under the program;

(I) Late charges and penalties;

(J) Finder's fees;

(K) Fund-raising expenses;

(L) Interest expense on intangible assets;

(M) Religious items or supplies or services of a primarily religious nature performed by priests, rabbis, ministers, or other similar types of professionals. Costs associated with portions of the physical plant used primarily for religious functions are also non-allowable;

(N) Research costs;

(O) Salaries, wages, or fees paid to non-working officers, employees, or consultants;

(P) Value of services (imputed or actual) rendered by non-paid workers or volunteers; and

(Q) Costs of services performed in a satellite clinic, which does not have a valid MO HealthNet participation agreement with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet-eligible participants.

### (5) Fee-for-Service (FFS) Claims Payments.

(A) Effective for dates of service beginning July 1 of each year, PBRHC services that are an integral part of the hospital, unless otherwise limited by regulation, shall be reimbursed by MO HealthNet, based on the clinic's usual and customary charges multiplied by the lower of one hundred percent (100%) or one hundred percent (100%) of the PBRHC's cost-to-charge ratio as determined from the third prior year audited Medicaid cost report. These payments shall be reduced by copayments and other third party liabilities.

### (6) Interim Managed Care Payments.

(A) A PBRHC in a MO HealthNet managed care region may request an interim payment, on forms provided by the division, prior to the final settlement calculation. This payment is limited to the ten percent (10%) not reimbursed by the managed care

health plans for covered services rendered to MO HealthNet managed care participants during the reporting period. The interim payment shall occur on a quarterly basis.]

(2) Definitions.

(A) Alternative Prospective Payment System (APPS) rate. A reimbursement rate that is an alternative to the standard Prospective Payment System (PPS) rate established in accordance with section 1902(bb) of the Social Security Act.

(B) Audit. The division's or its authorized contractor's audit of a hospital's Medicaid cost report.

(C) Base Years FY 1 and FY 2 for current providers. Fiscal years 1999 and 2000.

(D) Base Years FY 1 and FY 2 for new providers who do not have a 1999 and 2000 cost report. Two (2) fiscal years subsequent to the first year of business as a PBRHC.

(E) Change in scope of service. A change in the type, intensity, duration, or amount of service.

(F) Division. Unless otherwise designated, division refers to the MO HealthNet Division, a division of the Department of Social Services charged with the administration of the MO HealthNet program.

(G) Fiscal Year (FY). The clinic's fiscal reporting period that corresponds with the fiscal year of the hospital where the clinic is based.

(H) Fourth prior year cost report. The Medicaid cost report for the fourth year prior to the SFY that the rate is effective (i.e., for SFY 2025, the fourth prior year cost report is the FY 2021 cost report).

(I) Generally Accepted Accounting Principles (GAAP). Accounting conventions, rules, and procedures necessary to describe accepted accounting practice at a particular time promulgated by the authoritative body establishing those principles.

(J) Incorporation by reference. This rule incorporates by reference the following:

1. 42 CFR Chapter IV, Part 405, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2023, and available at <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-B/part-405>. This rule does not incorporate any subsequent amendments or additions.

2. 42 CFR Chapter IV, Part 413, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2023, and available at <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-B/part-413>. This rule does not incorporate any subsequent amendments or additions.

3. 42 CFR Chapter IV, Part 491, which is incorporated by reference and made part of this rule as published by the Office of the Federal Register, 800 North Capitol St. NW, Suite 700, Washington, DC 20408, October 1, 2024, and available at <https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-G/part-491>. This rule does not incorporate any subsequent amendments or additions.

4. The *Rural Health Clinic Provider Manual* is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, September 1, 2023, and available at <https://mydss.mo.gov/media/pdf/rural-health-clinic-provider-manual>. This rule does not incorporate any subsequent amendments or additions.

(K) Medicaid Cost Report. Shall be the cost report

defined in 13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Methodology, and Missouri's supplemental cost report schedules. Each PBRHC shall be individually listed on the hospital's Medicaid cost report.

(L) Medicare Economic Index (MEI). Percentage increase for primary care services.

1. SFY 2024 = 3.8%

2. SFY 2025 = 4.6%

3. SFY 2026 = 3.5%

(M) PBRHC. A clinic that is an integral part of a hospital, eligible for certification as a Medicare rural health clinic in accordance with 42 CFR Parts 405 and 491, and operates with other departments of a hospital.

(N) Prospective Payment System (PPS) Rate. A reimbursement rate established in accordance with section 1902(bb) of the Social Security Act.

(O) Provider or facility. A PBRHC with a valid MO HealthNet participation agreement in effect with the Department of Social Services for the purpose of providing PBRHC services to MO HealthNet eligible participants.

(P) Third prior year cost report. The Medicaid cost report for the third year prior to the SFY that the rate is effective (i.e., for SFY 2025, the third prior year cost report is the FY 2022 cost report).

(Q) Cost-to-charge ratio (CCR). The CCR is determined by dividing the PBRHC cost by the PBRHC charges from the hospital's Medicaid Cost Report Worksheet C Part I.

(3) Reimbursement Methodologies. Effective for dates of service on or after January 1, 2025, PBRHCs shall be reimbursed for covered services furnished to eligible Missouri Medicaid participants under a prospective payment system (PPS). An alternative prospective payment system (APPS) will also be determined for each PBRHC. The payment amount determined under this methodology is agreed to by the division and the PBRHCs and results in a payment to the PBRHC of an amount which is at least equal to the PPS rate, with no retrospective settlement.

(A) Prospective Payment System (PPS). Effective for dates of service on or after January 1, 2025, a PPS rate will be set for each PBRHC according to the methodology outlined below:

1. Determination of final PPS base rate.

A. The final PPS base rate for each PBRHC that has base years FY 1 and FY 2 for current providers will be calculated using the Medicaid cost report as follows:

(I) Total allowable cost equals the allowable cost from base year FY 1 for current providers plus the allowable cost from base year FY 2 for current providers;

(II) Total allowable visits equal the allowable visits from base year FY 1 for current providers plus the allowable visits from base year FY 2 for current providers; and

(III) The final PPS base rate equals total allowable cost divided by total allowable visits.

B. The final PPS base rate for each PBRHC that has base years FY 1 and FY 2 for new providers will be calculated using the Medicaid cost report as follows:

(I) Total allowable cost equals the allowable cost from base year FY 1 for new providers plus the allowable cost from base year FY 2 for new providers;

(II) Total allowable visits equal the allowable visits from base year FY 1 for new providers plus the allowable visits from base year FY 2 for new providers; and

(III) The final PPS base rate equals total allowable cost divided by total allowable visits.

C. The division shall adjust the final PPS rate –  
(I) By the percentage increase in the MEI applicable to the PBRHC services on July 1 of each year;

(II) In accordance with subsection (3)(C) below –

(a) Upon request and documentation by a PBRHC that there has been a change in scope of services;

(b) Upon review and determination by the division that there has been a change in scope of services; and

2. Determination of interim PPS base rate for a new PBRHC.

A. Until a final PPS rate is established, the division shall calculate an interim PPS rate based on the average final PPS rates based on the managed care organization region where the PBRHC is located.

(B) Alternative Payment Methodology (APM). Effective for dates of service on or after January 1, 2025, PBRHCs may be paid an APPS rate. PBRHCs must agree to the APM in order to receive payment in accordance with the APM and the amount paid under the APM must be at least equal to the PPS rate. To choose this method, the PBRHC must make this selection on the written memorandum form provided by the division.

1. Determination of APPS base rate.

A. The final APPS base rate will be calculated for each PBRHC as follows:

(I) Total allowable cost equals the allowable cost from the third prior year Medicaid cost report plus the allowable cost from the fourth prior year Medicaid cost report;

(II) Total allowable visits equal the allowable visits from the third prior year Medicaid cost report plus the allowable visits from the fourth prior year Medicaid cost report; and

(III) PPS base rate equals total allowable cost divided by total allowable visits.

B. The division shall adjust the final APPS rate –

(I) By the percentage increase in the MEI applicable to the PBRHC services on July 1 of each year;

(II) In accordance with subsection (3)(C) below –

(a) Upon request and documentation by a PBRHC that there has been a change in scope of services;

(b) Upon review and determination by the division that there has been a change in scope of services; and

(III) If necessary, as a result of a desk review or audit.

C. The final APPS rate will be rebased every five (5) years (i.e., SFY 2030 will be the first year of rebasing).

2. Determination of interim APPS base rate for a new PBRHC.

A. Until a final APPS rate is established, the division shall calculate an interim APPS rate based on the average final APPS rates based on the managed care organization region where the PBRHC is located.

(C) Change in scope of service.

1. To receive a PPS rate adjustment for a proposed increase or decrease in the scope of covered PBRHC services in a future FY as compared to the current year, a provider shall be required to submit a proposal which should include enough information to facilitate an evaluation of the proposed change and its effect on the rate. Any rate change would be effective on the first of the month following the division's decision.

2. To receive an APPS rate adjustment for a proposed increase or decrease in the scope of covered PBRHC services

in a future FY as compared to the current year, a provider shall be required to submit a proposal which should include enough information to facilitate an evaluation of the proposed change and its effect on the rate. Any rate change would be effective on the first of the month following the division's decision. In addition to a change of scope, PBRHCs will have the opportunity to submit a request to increase the APPS rate if costs exceed the APPS rate by fifteen (15) percent or more. Again, documentation must be provided to determine the case for reconsideration of the APPS rate. Any rate change would be effective on the first of the month following the division's decision.

3. A change in scope of service shall be restricted to –

A. Adding or terminating a covered service;

B. Increasing or decreasing the intensity of a covered service; or

C. A statutory or regulatory change that materially impacts the costs or visits of a PBRHC.

4. The following items individually shall not constitute a change in scope:

A. A general increase or decrease in the costs of existing services;

B. A reduction or an expansion of hours per day, days per week, or weeks per year;

C. An addition of a new site that provides the same Medicaid covered services;

D. A wage increase;

E. A renovation or other capital expenditure;

F. A change in ownership; or

G. An addition or termination of a service provided by a non-licensed professional or specialist.

5. A change in covered services shall be either –

A. An addition of a covered service restricted to the addition of a licensed professional staff member who can perform a Medicaid covered service that is not currently being performed within the PBRHC by a licensed professional employed or contracted by the PBRHC; or

B. The termination of a covered service restricted to the deletion of a licensed professional staff member who can perform a Medicaid covered service that was being performed within the PBRHC by the licensed professional staff member.

6. A change in intensity shall –

A. Increase or decrease the existing final rate by at least five (5) percent;

B. Last at least twelve (12) months; and

C. Be submitted to the division in writing.

7. A requested change in scope of service shall –

A. Increase or decrease the existing final rate by at least five (5) percent;

B. Last at least twelve (12) months; and

C. Be submitted to the division in writing.

8. A PBRHC that requests a change in scope of service shall submit the following documents to the division within six (6) months of the change in scope of service:

A. A narrative describing the change in scope of service;

B. Budgeted expenditures and change in total number of visits; and

C. A signed letter requesting the change in scope.

(D) PBRHCs that are an integral part of an out-of-state hospital shall be reimbursed a per visit rate based on the state-wide average rate of PBRHCs that are an integral part of in-state hospitals.

[(7)](4) Final Settlement Calculations. Final settlements will

**only be calculated for dates of service prior to January 1, 2025.**

(A) For cost reports with a FY ending in 2021 and forward, the final settlement is calculated as follows:

1. The audited Medicaid cost report that includes each PBRHC's fiscal year shall be used to calculate the final settlement, in order that the PBRHC's net reimbursement shall equal reasonable costs as described in this section;

2. Fee-for-~~[S]~~service (FFS) ~~[S]~~section.

A. The division takes the PBRHC's allowable Medicaid charges from services paid on a percentage basis multiplied by the PBRHC's cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC claims payments are subtracted. The difference is either an overpayment or an underpayment;

3. Managed ~~[C]~~care ~~[S]~~section.

A. The division uses the PBRHC Form from the Medicaid Supplemental Packet, which is filed with the hospital cost report, and associated detail for the PBRHC facility to determine charges. These charges are multiplied by the PBRHC's cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC payments associated with above charges are subtracted. If applicable, then subtract any interim payments paid prior to the final settlement. The difference is either an overpayment or an underpayment; and

4. Final ~~[S]~~settlement ~~[A]~~amount.

A. The division adds together the overpayment or underpayment from the FFS ~~[S]~~section and the ~~[M]~~managed ~~[C]~~care ~~[S]~~section and then subtracts any advanced settlement payments, if applicable, to come up with a total overpayment or underpayment which will be the final settlement amount.

(B) For cost reports with a FY ending in 2020 and prior, the final settlement is calculated as follows:

1. The audited Medicare Notice of Program Reimbursement (NPR) cost report that includes each PBRHC's fiscal year shall be used to calculate the final settlement, in order that the PBRHC's net reimbursement shall equal reasonable costs as described in this section. The provider shall provide the NPR upon request from the division;

2. Fee-for-~~[S]~~service ~~[S]~~section.

A. The division takes the PBRHC's allowable Medicaid charges from services billed under this rule multiplied by the PBRHC's Medicare NPR cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC FFS claims payments are subtracted. The difference is either an overpayment or an underpayment;

3. Managed ~~[C]~~care ~~[S]~~section.

A. The division uses the PBRHC Form from the Medicaid Supplemental Packet, which is filed with the hospital cost report, and associated detail for the PBRHC facility to determine charges. These charges are multiplied by the PBRHC's cost-to-charge ratio to determine the PBRHC's cost. From this cost, the PBRHC payments associated with above charges are subtracted. If applicable then subtract any interim payments paid prior to the final settlement. The difference is either an overpayment or an underpayment; and

4. Final ~~[S]~~settlement ~~[A]~~amount.

A. The division adds together the overpayment or underpayment from the FFS ~~[S]~~section and the ~~[M]~~managed ~~[C]~~care ~~[S]~~section and then subtracts any advanced settlement payments, if applicable, to come up with a total overpayment or underpayment which will be the final settlement amount.

**~~[(8)](5) Reconciliation.~~**

(A) The division shall send written notice to the hospital, of which the PBRHC is an integral part, of the following:

1. Underpayments. If the total reimbursement due the

PBRHC exceeds the interim payments made for the reporting period, the division makes a lump-sum payment to the PBRHC to bring total interim payments into agreement with total reimbursement due to the PBRHC; and/or

2. Overpayments. If the total interim payments made to the PBRHC for the reporting period exceed the total reimbursement due from the PBRHC for the period, the division arranges with the PBRHC for repayment through a lump-sum refund~~[,]~~ or, if that poses a hardship for the PBRHC, through offset against subsequent interim payments or a combination of offset and refund.

**~~[(9) Sanctions.~~**

(A) *The division may impose sanctions against a provider in accordance with 13 CSR 70-3.030 Sanctions for False or Fraudulent Claims for Title XIX Services or any other sanction authorized by state or federal law or regulation.*

(B) *Overpayments due the MO HealthNet program from a provider shall be recovered by the division in accordance with 13 CSR 70-3.030 Sanctions for False or Fraudulent Claims for Title XIX Services.*

**~~[(10) Appeals.~~** *In accordance with sections 208.156 and 621.055, RSMo, providers may seek hearing before the Administrative Hearing Commission of final decisions of the director, Department of Social Services or the MO HealthNet Division.]*

**~~[(11)](6) Payment Assurance.~~** *The state will pay each PBRHC, which furnishes the services in accordance with the requirements of the state plan, the amount determined for services furnished by the PBRHC according to the standards and methods set forth in the regulations implementing the PBRHC Reimbursement Program.*

*AUTHORITY: sections 208.201 and 660.017, RSMo 2016. Original rule filed June 30, 1995, effective Jan. 30, 1996. For intervening history, please consult the Code of State Regulations. Emergency amendment filed March 3, 2025, effective March 17, 2025, and expires Sept. 12, 2025. Amended: Filed March 3, 2025.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions eight hundred twenty-one thousand dollars (\$821,000) 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. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing will not be scheduled.*

**FISCAL NOTE  
PUBLIC COST**

- I. **Department Title:** 13 Social Services
- Division Title:** 70 MO HealthNet Division
- Chapter Title:** 94 Rural Health Clinic Program

<b>Rule Number and Title:</b>	13 CSR 70-94.020 Provider-Based Rural Health Clinic
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Other Government (Public) Clinics enrolled in MO HealthNet - 81	Net Estimated Cost for SFY 2026: \$0
Department of Social Services, MO HealthNet Division	Net Estimated Cost for SFY 2026: \$821 thousand

**III. WORKSHEET**

Department of Social Services, MO HealthNet Division Impact	
Estimated Impact for SFY 2026	
Estimated Cost	\$821,448
Times SFY 2025 Blended FMAP	34.5%
Estimated State Share	\$283,400

**IV. ASSUMPTIONS**

MHD used the SFY 2025 rate trended to SFY 2026 by the calendar year 2025 Medicare Economic Index times the visits from SFY 2024 to determine the fiscal impact.



This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or 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 that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that 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 10 – DEPARTMENT OF NATURAL RESOURCES**  
**Division 10 – Air Conservation Commission**  
**Chapter 6 – Air Quality Standards, Definitions,**  
**Sampling and Reference Methods and Air Pollution**  
**Control Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2024, the commission amends a rule as follows:

**10 CSR 10-6.261 Control of Sulfur Dioxide Emissions**  
**is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1572-1575). No changes have been made to 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 on this rule action.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES**  
**Division 70 – MO HealthNet Division**  
**Chapter 15 – Hospital Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division under section 208.153, RSMo Supp. 2024, and sections 208.201 and 660.017, RSMo 2016, the division amends a rule as follows:

**13 CSR 70-15.010 Inpatient Hospital Services Reimbursement**  
**Methodology is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1804-1808). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES**  
**Division 70 – MO HealthNet Division**  
**Chapter 20 – Pharmacy Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.152 and 208.153, RSMo Supp. 2024, and sections 208.201 and 660.017, RSMo 2016, the division amends a rule as follows:

**13 CSR 70-20.045 Maximum Day Supply Limit on**  
**Prescriptions Reimbursed by the MO HealthNet Division**  
**is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1816). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES**  
**Division 70 – MO HealthNet Division**  
**Chapter 20 – Pharmacy Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 208.153, RSMo Supp. 2024, and sections 208.201 and 660.017, RSMo 2016, the division amends a rule as follows:

**13 CSR 70-20.250 Prior Authorization of New Drug Entities or**  
**New Drug Dosage Form is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1816-1817). No changes have been made to the text of the proposed amendment, so it is

not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 13 – DEPARTMENT OF SOCIAL SERVICES**  
**Division 70 – MO HealthNet Division**  
**Chapter 20 – Pharmacy Program**

**ORDER OF RULEMAKING**

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 208.153, RSMo Supp. 2024, and sections 208.175, 208.201, and 660.017, RSMo 2016, the division amends a rule as follows:

**13 CSR 70-20.300** Retrospective Drug Use Review Process **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1817-1818). No changes have been made to 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 4240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-3.305** Filing Requirements for Sewer Utility Applications for Certificates of Convenience and Necessity **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 15, 2024 (49 MoReg 1716). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The comment period ended on December 15, 2024, and a public hearing was held on December 18, 2024. No comments were received regarding the rescission of this rule.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 4240 – Public Service Commission**  
**Chapter 3 – Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-3.600** Filing Requirements for Water Utility Applications for Certificates of Convenience and Necessity **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 15, 2024 (49 MoReg 1716-1717). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The comment period ended on December 15, 2024, and a public hearing was held on December 18, 2024. No comments were received regarding the rescission of this rule.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**  
**Division 4240 – Public Service Commission**  
**Chapter 10 – Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission adopts a rule as follows:

20 CSR 4240-10.155 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1609-1613). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended December 6, 2024, and the commission held a public hearing on the proposed rule on December 10, 2024. The commission received timely written comments from eight (8) people representing six (6) entities during the comment period and thirteen (13) people representing eleven (11) entities provided comments at the hearing. The comments were generally in support of the proposed rule with a few suggested changes.

COMMENT #1: Goldie T. Bockstruck, Director, Regulatory Affairs and Regulatory Counsel, provided written comments on behalf of Summit Natural Gas of Missouri (Summit). Summit proposed adding language to subsection (8)(A) to define limitations of accessibility to the books and records of a covered utility's parent and affiliates. J. Scott Stacey, Deputy Counsel, on behalf of the staff of the commission (staff) commented that it is opposed to Summit's proposed edits. Staff stated these entities are trying to limit the commission's authority in this affiliate transaction rule, which has been litigated previously. Staff commented that the Missouri Supreme Court found that "the PSC's authority to require utilities to maintain records so that it may determine whether utilities are following their obligations under section 393.130.2, RSMo, is firmly established.

Likewise, the PSC has authority to extend the reach of the rules to a utility's affiliate where the affiliate is 'substantially kept separate and apart' from the business of the utility... that section also states that the PSC shall have the right to inquire as to, and prescribe the apportionment of, capitalization, debts, and expenses fairly and justly to be awarded or borne by the ownership, operation, management or control of such gas plant, electric plant... Sec. 393.140(12)," etc. *State ex rel. Atmos Energy Corp. v. PSC*, 103 S.W.3rd 753, 764 (2003) (*Atmos Energy*).  
RESPONSE: The commission thanks Summit for its comment. However, the commission agrees with staff that it has the authority to propose rules on affiliate transactions and authority to seek the information sought. Therefore, the commission makes no change as a result of this comment.

COMMENT #2: Sreenivasa Rao Dandamudi, Director and Associate General Counsel - Regulatory, on behalf of Spire Missouri Inc. (Spire) submitted written comments. David Yonce, also on behalf of Spire, reaffirmed the written comments made by Mr. Dandamudi. Spire is concerned whether the new rule would affect existing cost allocation manuals (CAMs) that have been drafted and already approved by the commission. Spire is looking for clarification; Spire proposes to edit subsection (1)(C) to allow more flexibility. Staff commented that it was not opposed to Spire's proposed edit.  
RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Spire's comments and will change subsection (1)(C).

COMMENT #3: Spire proposed additional language to clarify the definition of derivatives in subsection (1)(H). Staff commented that it was not opposed to Spire's proposed edit.  
RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Spire's comments and will clarify the definition in subsection (1)(H).

COMMENT #4: Spire recommends including language concerning variances in subsection (1)(U). Staff commented that it was not opposed to Spire's proposed edit.  
RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Spire's comments and will change subsection (1)(U) as published to include variances.

COMMENT #5: Spire proposed language in subsection (5)(C) which would allow a utility to file its CAM on a date other than May 15 if agreed to by the commission and the utility. Staff commented that it was not opposed Spire's proposed edit.  
RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Spire's comment and will change subsection (5)(C).

COMMENT # 6: Rachel L. Niemeier, Corporate Counsel on behalf of Missouri-American Water Company (MAWC), submitted written comments suggesting edits to subsection (1)(I). Staff commented that it is opposed to MAWC's edit. Staff stated that removing the fair market price requirements would allow a covered utility to charge its fully distributed costs regardless of whether the service can be obtained elsewhere at a lower cost. Staff stated that MAWC's proposed change would defeat the principle behind the affiliate transactions rule that the utility's affiliate not be provided or receive a benefit from the utility that an unrelated third party would not also receive.  
RESPONSE: The commission agrees with staff regarding the principle of the rule and makes no change as a result of this comment.

COMMENT #7: MAWC proposed changing the wording in subsection (2)(E) from "Missouri residents" to "a covered

utility's customers." Staff commented that it was not opposed to MAWC's edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with MAWC's comment and will change subsection (2)(E) as suggested.

COMMENT #8: MAWC proposed edits to section (4) to refine the evidentiary standard as to the timing in which costs are calculated. Staff commented that it opposes MAWC's proposed edit. Staff noted that MAWC's suggested edits include new terminology that is not defined within the rule.  
RESPONSE: The commission agrees with staff and will not introduce new undefined terminology in the rule. No change was made as a result of this comment.

COMMENT #9: MAWC proposed language in section (6) to modify the recordkeeping requirements for covered utilities. MAWC asserts it is not the controlling entity of its parent or any of its affiliates and does not have the authority to direct their business practices, specifically the maintenance of records. Staff commented that it is opposed to MAWC's proposed edit.  
RESPONSE: While MAWC does not control its parent company, MAWC and its parent company must follow the record-keeping and other requirements of the states in which they operate. WC incurs costs from its service company and its parent company which are included in the costs of service to Missouri ratepayers. If these costs are not properly recorded, then the commission cannot audit those costs to set appropriate rates. Electric and gas corporations currently adhere to similar rules. Therefore, the commission determines no change should be made as a result of this comment. No change has been made as a result of these comments.

COMMENT #10: MAWC proposed language in section (7) to lighten requirements that a covered utility ensure its parent and any other affiliates maintain books and records including certain information regarding affiliate transactions. MAWC asserts it is not the controlling entity of its parent or any of its affiliates and does not have the authority to direct their business practices, specifically the maintenance of records. Staff commented that it opposes MAWC's proposed edit.  
RESPONSE: While MAWC does not control its parent company, MAWC and its parent company must follow the record-keeping and other requirements of the states in which they operate. MAWC incurs costs from its service company and its parent company which are included in the costs of service to Missouri ratepayers. If these costs are not properly recorded, then the commission cannot audit those costs to set appropriate rates. Electric and gas corporations currently adhere to similar rules. Therefore, the commission determines no change should be made as a result of this comment. No change has been made as a result of these comments.

COMMENT #11: MAWC proposed language in subsection (8)(B). MAWC asserts it is not the controlling entity of its parent or any of its affiliates and does not have the authority to direct their business practices, specifically the maintenance of records. Staff responded that it is opposed to MAWC's proposed edits because the commenters are trying to limit the commission's authority in this affiliate transaction rule and that authority was previously upheld by the courts in the *Atmos Energy* case as explained in the comments above.  
RESPONSE: The commission thanks MAWC for its comment. However, the commission agrees with staff that it has the authority to propose rules on affiliate transactions and authority to require utilities to keep certain records as needed. Therefore, the commission makes no change as a result of

these comments.

COMMENT #12: MAWC commented that affiliate transaction rules are not necessary for water and sewer corporations in the same manner as they may apply to electric and gas corporations.

RESPONSE: The commission notes that larger water and sewer companies have parent companies, service companies, and many affiliates that provided services to the regulated utility and non-regulated affiliated entities similar to electric and gas corporations. Thus, the affiliated transaction rule should also apply to water and sewer companies to ensure that the utility is not subsidizing its affiliated companies. Therefore, no change has been made as a result of this comment.

COMMENT #13: James B. Lowery on behalf of Union Electric d/b/a Ameren Missouri provided written comments on the definition of information in subsection (1)(L). Staff commented that it opposed Ameren's proposed edit.

RESPONSE: The commission thanks Ameren Missouri for its comments. However, the commission does not want to limit what information is considered in the way that Ameren Missouri's definition would limit it. Therefore, no change has been made as a result of this comment.

COMMENT #14: Ameren proposed edits to allow the sharing of "operational" information with its affiliates in paragraph (2)(F)2. Staff commented that it is not opposed to Ameren's proposed edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with Ameren's comment and will change paragraph (2)(F)2.

COMMENT #15: Lena Mantle, Senior Analyst, for the Office of the Public Counsel (OPC), proposes adding language defining asset in section (1). Ameren provided written responsive comments to OPC's addition of the definition of an asset. Ameren opposed classifying employees as assets. Ameren states that employees should be free to work for whomever they want to work and that employees are not "under regulation" like the utilities they work for are. Ameren cited to commission File No. GO-20003-0354 where the commission declined to treat employees as part of a utility's franchise, works, or system, stating that after those employees' transfers, the employees' work functions were still being performed. Staff commented that it was opposed to the second sentence of the proposed definition.

RESPONSE: OPC's proposed addition would include, among other things, employees in the definition of assets. The commission finds Ameren's arguments persuasive and disagrees with the proposed change. No change has been made as a result of these comments.

COMMENT #16: OPC proposed adding language defining covered gas utility in section (1). Staff commented that it is opposed to the addition because gas corporations are included in the definition of covered utility in subsection (1)(G).

RESPONSE: The commission agrees with staff and no change has been made as a result of this comment.

COMMENT #17: OPC proposes changing "regulated utility" to "covered utility" in subsection (1)(L). Staff commented that it supported OPC's edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comment and will change the wording in subsection (1)(L). No other changes were made as a result of these comments.

COMMENT #18: OPC recommends removing definition of "long-term" in subsection (1)(M) since it is not used any place in the rule. Staff is in support of this definition removal.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will remove subsection (1)(M) as published and reletter the remaining subsections in section (1).

COMMENT #19: OPC recommends changing the phrase "nonregulated operations" to "nonregulated business operations" in subsection (1)(O). Staff commented that staff was not opposed to OPC's proposed edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will change subsection (1)(O) as published to include the word "business."

COMMENT #20: OPC proposed to include in the definition of preferential position in subsection (1)(Q) that the provision of information and the provision of assets could be giving an affiliate a preferential position. Staff commented that it was not opposed to OPC's proposed edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will change the definition in subsection (1)(Q) as published to include "information or actions."

COMMENT #21: OPC recommends changing the wording "regulated gas corporation" in subsection (1)(R) to "covered gas utility." Staff commented that it was not opposed to OPC's proposed edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will change the wording in subsection (1)(R) as published to OPC's suggested wording.

COMMENT #22: OPC recommends removing the definition of short-term in subsection (1)(S) since it is not used any place in the rule. Staff is in support of this definition removal.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will delete subsection (1)(S) as published.

COMMENT #23: OPC recommends changing the wording "gas corporation" and "regulated gas corporation" to "covered gas utility" in subsection (1)(T). Staff is in support of OPC's proposed edits.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will change subsection (1)(T) as published to include OPC's suggestion.

COMMENT #24: John Clizer, Senior Counsel for OPC, recommends moving subsection (2)(F) to the end of subsection (2)(B). Mr. Lowery for Ameren responded that if OPC's proposal was adopted Ameren would have to bid out all services that are currently provided by Ameren Services (AMS) which would require Ameren to hire a sizeable team of people to develop and issue requests for proposals, vet responses, and award contracts. Ameren was also concerned with the quality of work if a vendor submitted a "low ball" offer to win the contract. Ameren commented that OPC's proposed addition would continue to subject service companies to asymmetric pricing. Tom Byrne, a former senior director of regulatory affairs for Ameren, reaffirmed Ameren's written comments at the hearing. Mr. Byrne also commented that there is value in having a consistent group of dedicated employees who provide service over decades rather than having the possibility of switching back and forth among service providers for such important things as accounting, legal services, environmental

services, etc. Ameren commented that the use of a service company for the last 27 years has been successful and in customers' best interests. Ameren commented that OPC's suggestions would undermine the status quo and should be rejected. MAWC commented that it supports Ameren's responses.

Staff commented that it does not believe it is necessary to move subsection (2)(F) to subsection (2)(B). Staff stated that service companies are common within utility structures containing multiple regulated entities, as this type of affiliate provides the benefits of economies of scale for the provision of goods and services for regulated utilities compared to the cost of each regulated utility providing the good or service for itself on a stand-alone basis. The service company structure can be reasonably assumed to be less costly in most situations than arrangements in which the utility receives goods and services from unaffiliated entities at market value. The expected lower costs associated with the provision of service company goods and services are due to the inherent economies of scale available in the offering of centralized services to multiple entities; a requirement to transact with a service company at fully distributed costs ensures these transactions will not include a profit margin for the charges associated with provision of its goods and services, unlike the case of unaffiliated/independent third-party vendors. Mark Johnson, Chief Staff Counsel, reaffirmed staff's opposition to OPC's proposal at the hearing. He commented that several utilities utilize service companies and the ratepayers benefit from the use of the service company because it can be less costly due to economies of scale. Staff will continue to audit all costs including service company costs in future rate cases. RESPONSE: The commission thanks OPC and the other parties for their comments. However, the commission agrees with the utilities and staff that this change should not be made. Therefore, no change has been made as a result of this comment.

COMMENT #25: OPC proposed edits to subsection (2)(E) to include electronic advertising such as social media and email. Staff commented that it is not opposed to OPC's edit. RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comments and will change subsection (2)(E) as published to include electronic forms of advertising.

COMMENT #26: OPC proposes changing the wording "regulated gas corporation" to "covered gas utility" in subsections (3)(B) through (3)(O). Staff commented that it supports OPC's proposed edit. RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comment and will change the wording in subsections (3)(B) through (3)(O).

COMMENT #27: OPC proposed removing language from paragraph (3)(H)1. to update the rule to require filing in the commission's electronic filing and information system (EFIS). OPC suggests changes to paragraph (3)(H)2. to provide specification on where this disclosure is made. OPC suggests changes to paragraph (3)(H)3. to clarify whether the contemplated filings would open a case or be filed in a non-case related submission in EFIS. And, OPC suggests moving paragraph (3)(H)4. to become subparagraph (3)(H)3.A. Staff supports OPC's proposed edits. RESPONSE AND EXPLANATION OF CHANGE: The commission agrees in principle with OPC's comments and will amend paragraphs (3)(H)1., (3)(H)2., (3)(H)3., and (3)(H)4. to clarify where the filings will be made and whether they will open a new commission case file or be submitted in a non-case

related submission.

COMMENT #28: OPC proposes changes to subsection (3)(M) to reduce the amount of time allowed for the recording of a complaint and to tie the start of this time period to when the complaint was received. OPC also proposes adding a provision for updates to the log and the amount of time the covered gas utility has to provide the record when requested by staff or OPC. Staff commented that it does not oppose OPC's proposed edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comment and will change subsection (3)(M) accordingly.

COMMENT #29: OPC proposed language in subsection (5)(B) to add clarity on how often a utility must update its CAM; OPC proposed language requiring a utility to update its CAM no less frequently than every twelve (12) months. Staff commented that staff does not support OPC's proposed edit. Staff stated that the review of the information every twelve (12) months is too frequent. Staff would support a review every three (3) years, or some other reasonable time period.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with staff's comment and will change subsection (5)(B) to require a review every three (3) years.

COMMENT #30: OPC proposed removing the requirement in subsection (6)(B) that copies of affiliate transaction reports be served, and that proposes to clarify that submission of those reports in EFIS would not open a case before the commission. Staff commented that it supports OPC's proposed edit.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC's comment and will change subsection (6)(B) accordingly.

COMMENT #31: Roger W. Steiner and James Fischer on behalf of Evergy Metro, Inc. d/b/a Evergy Missouri Metro and Evergy Missouri West, Inc. d/b/a Evergy Missouri West gave comments in general support of Ameren's comments.

RESPONSE: The commission thanks Evergy for its comment. No additional changes have been made as a result of these comments.

COMMENT #32: John Coffman with the Consumer's Council of Missouri commented that it is generally supportive of OPC's position.

RESPONSE: The commission thanks the Consumer's Council of Missouri for its comment. No additional changes have been made as a result of this comment.

COMMENT #33: Tim Opitz with the Midwest Energy Consumers Group (MECG) commented that MECG is in support of moving subsection (2)(F) to subsection (2)(B). MECG is in support of Ameren's proposed language for section (2)(F) in regard to provision of sharing day-to-day operational information, if the commission moves section (2)(F) to section (2)(B).

RESPONSE: The commission thanks the MECG for its comments. For the same reasons the commission did not make these changes in response to the comments above, no changes have been made as a result of these comments.

COMMENT #34: Mr. Johnson commented that the affiliate transaction rule needs to be updated from the current rule. He stated the rule has been complicated and difficult to administer. Staff is in support of the rule with changes outlined in staff's written comments.

RESPONSE: The commission thanks the staff for its comments.

No additional changes have been made as a result of these comments.

## **20 CSR 4240-10.155 Affiliate Transactions Respecting Electrical Corporations, Gas Corporations, Heating Companies, Certain Water Corporations, and Certain Sewer Corporations**

### (1) Definitions.

(C) Affiliate Transactions Report means the filing that each covered utility is required to make with the secretary of the commission no later than each May 15, unless a different date has been agreed to between the commission and the utility within its CAM, providing the information identified in section (6) of this rule, Recordkeeping Requirements.

(H) Derivatives means a financial instrument with a value, realized or unrealized, that is directly dependent upon or derived from an underlying factor. This underlying factor can be financial assets, real assets, indices, securities, debt instruments, commodities, other derivative instruments, any agreed upon pricing index or arrangement (e.g., the movement over time of the Consumer Price Index or freight rates), or the composition of these factors. Derivatives can involve the trading of rights or obligations based on the underlying good, but may not directly transfer property. They are used to hedge risk or to exchange a floating rate of return for a fixed rate of return or vice versa.

(L) Information means any data obtained by a covered utility that is not obtainable by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in either time or resources.

(M) Marketing affiliate means an affiliate that engages in or arranges a commission-related sale of any natural gas service or portion of natural gas service to a shipper.

(N) Nonregulated business operations mean assets, goods, information, or services of an affiliate or a covered utility not subject to the jurisdiction of the commission under Chapters 386 and 393, RSMo.

(O) Opportunity sales means sales of unused contract entitlements necessarily held by a gas corporation to meet the daily and seasonal swings of its system customers and intended to maximize utilization of assets that remain under regulation.

(P) Preferential position means treatment, information or actions provided by a covered utility that offers an affiliate an advantage that cannot be obtained by nonaffiliates, or can only be obtained at a competitively prohibitive cost in either time or resources.

(Q) Shippers means all current and potential transportation customers on a covered gas utility's natural gas distribution system.

(R) Transportation means the receipt of natural gas at one point on a covered gas utility's system and the redelivery of an equivalent volume of natural gas to the retail customer of the gas at another point on the covered gas utility's system including, without limitation, scheduling, balancing, peaking, storage, and exchange to the extent such services are provided pursuant to the covered gas utility's commission tariff, and includes opportunity sales.

(S) Variance means an exemption granted by the commission from any applicable standard required pursuant to this rule. Any variances granted to 20 CSR 4240-40.015 shall continue as a variance under this rule.

### (2) Standards.

(E) All forms of marketing materials, information, or advertisements, including but not limited to those in electronic

or digital form, distributed to a covered utility's customers by an affiliate entity that shares an exact or similar name, logo, or trademark of the covered utility shall clearly display in a font size no smaller than ten- (10-) point font or announce that the affiliate entity is not regulated by the "Missouri Public Service Commission."

(F) This section shall not apply to or prohibit any of the following unless found by the commission, after notice and hearing, that such practice is contrary to the purposes and intent of this rule:

1. The joint provision of corporate support services, at FDC, between or among a covered utility and any affiliate. This includes joint provision of corporate support services by an affiliated service company; and

2. The provision, at FDC, of goods, information, or services of any kind between or among a covered utility and an affiliate regulated by the commission or other state utility commission, provided that a covered utility may share information with such an affiliate as part of its day-to-day communications with such an affiliate for the process of improving service, operations, or efficiency.

### (3) Nondiscrimination Standards Respecting Gas Marketing.

(B) A covered gas utility shall apply all tariff provisions relating to transportation in the same manner to customers similarly situated whether they use affiliated or nonaffiliated marketers or brokers.

(C) A covered gas utility shall uniformly enforce its tariff provisions for all shippers.

(D) A covered gas utility shall not, through a tariff provision or otherwise, give its marketing affiliate and/or its customers any preference over a customer using a nonaffiliated marketer in matters relating to transportation or curtailment priority.

(E) A covered gas utility shall not give any customer using its marketing affiliate a preference, in the processing of a request for transportation services, over a customer using a nonaffiliated marketer, specifically including the manner and timing of such processing of a request for transportation services.

(F) A covered gas utility shall not disclose or cause to be disclosed to its marketing affiliate or any nonaffiliated marketer any information that it receives through its processing of requests for or provision of transportation.

(G) If a covered gas utility provides information related to transportation that is not readily available or generally known to other marketers to a customer using a marketing affiliate, it shall provide that information (electronic format, phone call, facsimile, etc.) contemporaneously to all nonaffiliated marketers transporting on its distribution system.

(H) A covered gas utility shall not condition or tie an offer or agreement to provide a transportation discount to a shipper to any service in which the marketing affiliate is involved. If the covered gas utility seeks to provide a discount for transportation to any shipper using a marketing affiliate, the regulated gas corporation shall, subject to an appropriate protective order –

1. File an application in the commission's electronic filing information system (EFIS) for approval of the transaction;

2. Disclose in the application filing whether the marketing affiliate of the covered gas utility is the gas supplier or broker serving the shipper;

3. Submit, as a non-case related submission in EFIS, quarterly public reports that provide the aggregate periodic and cumulative number of transportation discounts provided by the covered gas utility; and

4. Provide, in the quarterly reports, the aggregate number of such agreements which involve shippers for whom the

covered gas utility's marketing affiliate is or was at the time of the granting of the discount the gas supplier or broker.

(I) A covered gas utility shall not make opportunity sales directly to a customer of its marketing affiliate or to its marketing affiliate unless such supplies and/or capacity are made available to other similarly situated customers using nonaffiliated marketers on an identical basis given the nature of the transactions.

(J) A covered gas utility shall not condition or tie agreements (including prearranged capacity release) for the release of interstate or intrastate pipeline capacity to any service in which the marketing affiliate is involved under terms not offered to nonaffiliated companies and their customers.

(K) A covered gas utility shall maintain its books of account and records completely separate and apart from those of the marketing affiliate.

(L) A covered gas utility is prohibited from giving any customer using its marketing affiliate preference with respect to any tariff provisions that provide discretionary waivers or variances.

(M) A covered gas utility shall maintain records when it is made aware of any marketing complaint against an affiliate. The records should contain a log detailing the date the complaint was received by the covered gas utility, the name of the complainant, a brief description of the complaint, and, as applicable, how it has been resolved. If the complaint has not been recorded by the covered gas utility within three (3) days, an explanation for the delay must be recorded.

(N) A covered gas utility will not communicate to any customer, supplier, or third parties that any advantage may accrue to such customer, supplier, or third party in the use of the regulated gas corporation's services as a result of that customer, supplier, or third party dealing with its marketing affiliate and shall refrain from giving any appearance that it speaks on behalf of its affiliate.

(O) If a customer requests information about a marketing affiliate, the covered gas utility may provide the requested information but shall also provide a list of all marketers operating on its system.

(5) Cost Allocation Manuals (CAM)

(B) Each covered utility shall file a CAM for approval by the commission as part of its first general rate case after the effective date of this rule, or in a separate filing no later than two (2) years after the effective date of this rule. Each covered utility shall conduct periodic reviews of its cost allocation, market valuation, and internal cost methods, no less frequently than every three (3) years, and shall update its CAM accordingly.

(C) Each covered utility shall file its CAM with the commission on or before May 15 each year, unless a different date has been agreed to between the commission and the utility within its CAM, as part of the covered utility's Affiliate Transaction Report. Included in the report should be a list of all affiliates regardless if services are provided to or services were obtained from the affiliate. The commission may, at any time, direct its staff to conduct an audit or review of a covered utility's CAM.

(6) Recordkeeping Requirements.

(B) Each covered utility shall maintain the following information in a mutually agreed-to electronic format (i.e., agreement between the commission staff, the Office of the Public Counsel, and the covered utility) regarding affiliate transactions with affiliates on a calendar year basis and shall file such information in the form of an Affiliate Transactions

Report with the secretary of the commission in EFIS by no later than May 15 of the succeeding year:

1. A full and complete list of all affiliates as defined by this rule;

2. A full and complete list of all assets, goods, information, and services sold or provided to, or purchased or received from, affiliates;

3. A full and complete list of all contracts entered with affiliates;

4. A full and complete list of all affiliate transactions undertaken with affiliates without a written contract together with a brief explanation of why there was no contract;

5. The amount of all affiliate transactions by affiliate and account charged;

6. The basis used (e.g., FMP, FDC, etc.) to record each type of affiliate transaction, and a description of the method used by the covered utility to determine FMP;

7. A list of all affiliate transactions for which the covered utility could not determine a reasonable FMP, with explanations as to why a reasonable FMP was unobtainable; and

8. A full and complete listing of all affiliate transactions made pursuant to subparagraph (11)(A)2.B. of this rule.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission  
Chapter 10 – Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.760.1 and 393.140, RSMo 2016, the commission adopts a rule as follows:

20 CSR 4240-10.165 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1613-1614). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended December 6, 2024, and the commission held a public hearing on the proposed rule on December 6, 2024. The commission received one (1) written comment from parties during the comment period and one (1) party commented at the hearing. The comments were generally in support of the proposed rule with a suggested change.

COMMENT # 1: Lindsay VanGerpen, Senior Counsel, on behalf of the Office of the Public Counsel (OPC), submitted written comments. OPC suggested subsection (1)(A) should be amended to include the word "covered" before the word "utility" in the definition of "affiliated entity" so that the definition refers to a "covered utility." This will ensure consistency with the definitions contained in the rule and throughout the rule itself.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comments of OPC and the commission will add the word "covered" to subsection (1)(A).

COMMENT # 2: Scott Stacey with staff counsel's office of the commission commented in support of the rule. Mr. Stacey further commented that staff of the commission were in agreement with OPC's suggested change.

RESPONSE: The commission agrees with Mr. Stacey's comments and will accept the change suggested by OPC as listed above. No other changes were made as a result of these comments.

## 20 CSR 4240-10.165 HVAC Services Affiliate Transactions

### (1) Definitions.

(A) Affiliated entity means any entity not regulated by the Public Service Commission (commission) which is owned, controlled by or under common control with a covered utility and is engaged in HVAC services.

## TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

### Division 4240 – Public Service Commission Chapter 10 – Utilities

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission adopts a rule as follows:

20 CSR 4240-10.175 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1614-1615). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended December 1, 2024, and the commission held a public hearing on the proposed amendment on December 6, 2024. The commission received written comments during the comment period from eleven (11) people representing eight (8) different individuals or entities. The commission received comments from thirteen (13) people representing thirteen (13) different individuals or entities during the hearing. The comments were generally in support of the proposed rule with suggested changes.

COMMENT #1: Lindsay VanGerpen, Senior Counsel, on behalf of the Office of the Public Counsel (OPC), submitted written comments, including the comments of Lisa Kremer, and provided comments at the hearing along with OPC Chief Economist, Dr. Geoff Marke, Ph.D. During the hearing, OPC updated its previously filed comments stating that it further modified its original six (6) suggested modifications to the proposed rule to now include seven (7) modifications based on other comments from stakeholders and Ameren Missouri's responsive comments. The OPC's suggested changes to the proposed rule include adding definitions under section (1) of "Aggregated Customer Information," "Consent," and "Utility Related Services"; clarifying subsection (2)(B); adding a provision regarding the ownership of customer information; enhancing section (3) regarding notification of breaches; and lastly adding a new section (4) requiring the filing of a Customer Data Privacy Policy.

RESPONSE AND EXPLANATION OF CHANGE: The commission

thanks OPC for its comments and participation in the hearing. With modifications, the commission will accept several of OPC's suggested rule changes that were presented in its written comments and at the hearing. Several of OPC's written comments presented at hearing include edits suggested by other stakeholders, as well. The commission will accept OPC's proposed new definitions in section (1) and will put the definitions in alphabetical order and reletter the subsections as needed. The commission will make changes proposed by OPC to subsection (2)(B), add new subsection (2)(E) regarding ownership of customer data, and add new subsection (2)(F), with modifications, regarding utility related services. The commission will make changes as proposed by OPC to subsection (3)(A) regarding other notifications required, with modifications, and will add a new subsection (3)(B) to incorporate OPC's draft report requirement. The commission will adopt, with modifications, OPC's new section (4) regarding customer data privacy policy.

COMMENT #2: Sarah Rubenstein submitted written comments on behalf of the Sierra Club. The Sierra Club commented that it supported many of the changes offered by OPC, as they would clarify data protection and transparency customers deserve. Sierra Club does not support allowing utilities to charge for access to aggregated customer data, as it will reduce the ability of Sierra Club and other community action agencies to access that data. Sierra Club suggested removing the proposed rule's allowance for utilities to charge for the costs of producing customer data as set forth in subsection (2)(C).

RESPONSE: The commission appreciates Sierra Club's participation in the rulemaking process. However, if the utility incurs costs for producing the information requested by others, it should be reimbursed for those costs and if no additional costs are incurred by the utility then it should not charge for the information. The commission has adopted many of OPC's suggested comments to which Sierra Club agrees, but will not adopt Sierra Club's suggested change to the proposed subsection (2)(C). No additional changes have been made as a result of these comments.

COMMENT #3: Nicole Mers submitted written comments and provided comments at the hearing on behalf of Renew Missouri Advocates (Renew Missouri). At the hearing, Renew Missouri referenced its written comments which includes edits to OPC's proposed definition of aggregated customer information and consent. Ms. Mers also provided a correction to subsection (1)(A) as published. Ms. Mers stated the definition should be for four (4) or more dwelling units not five (5) dwelling units for multifamily properties.

RESPONSE AND EXPLANATION OF CHANGE: The commission thanks Renew Missouri for its comments. The commission will adopt some of Renew Missouri's edits to OPC's additions to subsections (1)(A) and (1)(B) as published to include adding "at least four (4) and load exceeding fifty (50) percent" to new subsection (1)(A); and adding "When ongoing or successive transactions are explicitly agreed to by a customer, consent shall be valid until rescinded by the customer" to new subsection (1)(B).

COMMENT #4: Bruce Morrison submitted written comments on behalf of the Saint Louis County National Association for the Advancement of Colored People (NAACP). The NAACP supports many of OPC's changes to the proposed rule; however, it believes that utilities should be required to publish certain aggregated customer data without charge so that the public generally knows where service disconnections occur.

RESPONSE: The commission thanks the NAACP for its



comments. As the commission stated above, if the utility incurs costs for producing the information requested by others, the commission believes the utility should be reimbursed for those costs and if no additional costs are incurred by the utility then it should not charge for the information. The commission makes no additional changes as a result of these comments.

COMMENT #5: William D. Steinmeier filed written comments supporting the OPC's proposed changes.

RESPONSE: The commission thanks Mr. Steinmeier for his comments. The commission has adopted many of OPC's changes. No additional changes were made as a result of this comment.

COMMENT #6: John B. Coffman provided comments on behalf of Consumers Council of Missouri. Consumers Council generally supports the proposed rule amendments and comments filed by OPC with the following concerns of paramount importance: the final rule should clearly state that utility usage information belongs to the captive customer; affirmative permission ("opt-in" only) granted by the customer should be required before a utility shares private customer usage data unless such information is sufficiently aggregated; and, the definition of "aggregate customer information" must be clearly laid out in the rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission appreciates Consumers Council's participation and comments in this proceeding. The commission agrees with Consumers Council's comment that consumer permission to allow the utility to share private customer usage data should be required to be affirmative ("opt-in" only). In addition to the changes the commission is making pursuant to OPC's comments, the commission will add language to the newly added definition of "consent" in new subsection (1)(B).

COMMENT #7: Dana Gray, Community Development Outreach Coordinator, filed written comments and provided comments at the hearing on behalf of Tower Grove Community Development Corporation (Tower Grove CDC). Tower Grove CDC opposes a charge for energy data and believes that the approach requiring account holder consent will make it impossible for renters to obtain approximate energy costs prior to leasing a home or apartment. Additionally, Tower Grove CDC disagrees with the notion that data must be aggregated to include five (5) to fifteen (15) meters.

RESPONSE: The commission thanks Ms. Gray for her written comments and presentation at the hearing. As stated in response to other comments above, the commission finds that if the utility incurs costs for producing the information requested by others, it should be reimbursed for those costs and if no additional costs are incurred by the utility then it should not charge for the information. Therefore, no change was made as a result of these comments.

COMMENT #8: Anne Schweitzer, alderwoman in the City of St. Louis; Anna Chott, an individual; and Emily Andrews, Executive Director of Missouri Gateway Green Building Council, provided comments. The commenters expressed concerns that the rule will make it difficult or impossible for property owners to share and gather energy usage data on their buildings if they are not the tenant of the building or the one paying the energy bill. Ms. Chott indicated that Gateway Green Building Council opposes any efforts by the PSC to make building energy data less accessible.

RESPONSE: The commission thanks these commenters for their comments. However, as stated in response to other comments above, the commission finds that if the utility

incurs costs for producing the information requested by others, it should be reimbursed for those costs and if no additional costs are incurred by the utility then it should not charge for the information. The commission also finds there is a need to protect to an extent the privacy of customer data, thus the commission has added the customer consent opt-in provision. Therefore, no changes were made as a result of these comments.

COMMENT #9: Matthew Aplington, Sreenivasa Rao Dandamudi, and J. Antonio Arias, attorneys for Spire Missouri Inc., filed written comments, and David Yonce provided comments during the hearing on behalf of Spire. Spire suggested language that would define "utility related services" in section (2) and would allow utilities to send customer information to contracted vendors, without customer consent for those services, provided that appropriate protections are in place. Spire also suggested adding an exception in a new subsection (2)(D) to the consent provision for utility related services.

RESPONSE AND EXPLANATION OF CHANGE: The commission thanks Spire for its comments. The commission agrees with Spire's comment regarding the need to balance the protection of customer information while also allowing for efficient provision of utility service to customers. The commission takes its responsibility to balance the interest of ratepayers and utilities seriously and is attempting to reach balance in this rule. The commission will accept Spire's suggestion to define utility related services with a modification of placing the definition within section (1); however, the commission disagrees with the addition of subsection (2)(D). No other changes will be made as a result of that comment.

COMMENT #10: James Lowery, attorney, provided comments on behalf of Union Electric Company d/b/a Ameren Missouri. Ameren Missouri responded to the comments filed by other stakeholders. Ameren Missouri stated that it has no objection to many of OPC's suggestions (or those of other stakeholders) provided that the rule does not handicap utilities. Ameren Missouri's comments addressed stakeholder comments and OPC's original six suggestions. Ameren Missouri also commented on OPC's newly proposed subsection (2)(F) presented at the hearing.

RESPONSE AND EXPLANATION OF CHANGE: The commission thanks Ameren for its comments. The commission agrees with Ameren's alternative language as a substitute for OPC's newly proposed subsection (2)(F) as contained in *Ameren's Additional Comments on OPC's Additional Proposed Rule Mark-Up* filed with the commission as part of the hearing. The commission believes this alternative language provides protection of customer data without a fiscal impact to the utilities. The commission further agrees with Ameren that new section (4) as suggested by OPC should be amended, and the commission will include Ameren's suggestions to new section (4).

COMMENT #11: Rachel Niemeier commented on behalf of Missouri-American Water Company (MAWC). MAWC is in general agreement with the proposed rule and the comments made by the other utility stakeholders.

RESPONSE: The commission thanks MAWC for its comments. The commission has incorporated numerous changes, including those suggested by other utility stakeholders. No additional changes were made as a result of this comment.

COMMENT #12: Scott Stacey, Deputy Counsel, with staff counsel's office of the commission commented in support of the rule. Staff provided written responses to pre-filed

comments as of December 9, 2024. Staff commented that additional time would be needed to verify the cost impact associated with OPC's proposed subsection (2)(F) as submitted on December 10, 2024.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with staff's comments and, as noted above, will accept some of the changes suggested by OPC, Renew, Ameren, and Spire; however, the commission does not accept OPC's proposed subsection (2)(F) due to the cost impact of adding subsection (2)(F) being cost prohibitive for the utilities. The commission has no way to determine the fiscal cost to the utilities of OPC's added requirements in subsection (2)(F) as suggested by OPC. However, the commission will add subsection (2)(F) with modifications suggested by the utilities. No other changes were made as a result of these comments.

## 20 CSR 4240-10.175 Customer Information of Electrical Corporations, Gas Corporations, Heating Companies, Water Corporations, and Sewer Corporations

### (1) Definitions.

(A) Aggregated customer information means information derived from combining the data of multiple customers in such a manner that no single customer can be individually identified. For purposes of this definition, such aggregated customer information shall contain the information of either at least four (4) residential customers with no individual customer's load exceeding fifty percent (50%) of the data included in the aggregate or at least four (4) nonresidential customers with no individual customer's load exceeding eighty percent (80%) of the data included in the aggregate.

(B) Consent means either written or electronic permission ("opt-in") provided by a customer on a commission-approved form or verbal permission memorialized in a voice recording that the customer provides in response to a request to share the individual customer's information. For purposes of this rule, customer consent shall only be deemed to have been offered for discrete requests or transactions, and shall not be inferred for ongoing or successive transactions. When ongoing or successive transactions are explicitly agreed to by a customer, consent shall be valid until rescinded by the customer. Such consent shall be freely revocable by the customer at any time. The utility must retain records memorializing a customer's consent, unless and until the customer revokes said consent.

(C) Information means any data obtained by a utility that is not obtainable by nonaffiliated entities or can only be obtained at a competitively prohibitive cost in either time or resources.

(D) Utility means, for purposes of this rule, an electrical corporation, gas corporation, heating company, water corporation, or sewer corporation as defined in section 386.020, RSMo, and subject to commission regulation pursuant to Chapters 386 and 393, RSMo.

(E) Utility related services means those services provided by a utility in furtherance of the provision of regulated utility service pursuant to Chapters 386 and 393, RSMo, as well as actions taken by the utility to support customer use of those services, and pursuant to a utility's commission-approved tariff.

### (2) Standards.

(B) Aggregated customer information shall be made available to affiliated or unaffiliated entities upon request and under the same terms and conditions applicable to all entities receiving such information, unless otherwise ordered by the commission.

(E) A utility customer's information remains the sole property of the customer at all times, subject to its use and disclosure as

otherwise provided for by this rule.

### (F) Utility Related Services.

1. When any utility contracts with an affiliate or a third-party nonaffiliate to perform a utility-related service on behalf of the utility, and personally identifiable customer information to perform the utility-related service is required, the utility may provide the affiliate or third-party nonaffiliate with the necessary personally identifiable customer information without customer consent, provided that the utility shall make reasonable efforts to impose contractual obligations on the recipient, the substance of which are designed so that the recipient acknowledges that the personally identifiable customer information remains the property of the customer and limits the use of the personally identifiable customer information to performance of the contracted service.

### (3) Other Notification Required Respecting Personal Customer Information.

(A) A utility shall notify, without unreasonable delay, staff counsel's office and the Office of the Public Counsel if there is an incident that warrants reporting to the attorney general of a "breach of security" or "breach" as defined by subsection 407.1500.1, RSMo, and the utility shall provide a copy of the notice provided to customers and a copy of all reports detailing the investigation(s) to the staff counsel's office and the Office of the Public Counsel. Notices provided to customers shall be provided at the same time that they are sent to customers, and reports shall be provided immediately upon completion.

(B) Each utility shall retain draft work-in-progress reports consistent with its data retention policies.

### (4) Customer Data Privacy Policy.

(A) Each covered utility shall maintain and submit to the commission the utility's current customer data privacy policy, and revisions thereto. A utility's customer data privacy policy shall be submitted in the commission's Electronic Filing and Information System (EFIS) as a Non-Case Related Submission.

(B) The utility must also include the privacy policy on its website. The privacy policy shall answer what safeguards the utility is utilizing to protect customer information from inadvertent disclosure while contracting with an affiliate or nonaffiliated third-party providing services to the utility in furtherance of the utility related services the utility provides.

## TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

### Division 4240 – Public Service Commission Chapter 10 – Utilities

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and section 393.1509, RSMo Supp. 2024, the commission adopts a rule as follows:

20 CSR 4240-10.185 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 15, 2024 (49 MoReg 1717-1719). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended December 15, 2024, and the commission held a public hearing on the proposed amendment on December 18, 2024. The commission received three (3) written comments from parties during the comment period and four (4) parties commented at the hearing. The comments were generally in support of the proposed rule with a few suggested changes.

**COMMENT #1:** Anna Martin, Associate Counsel, on behalf of the Office of the Public Counsel (OPC), submitted written comments. Ms. Martin stated at the hearing that OPC did not have any additional comments besides the written comments submitted. Ms. Martin's written comments stated that OPC is supportive of the proposed rule, but suggested one addition to section (3) to make the rule consistent with section 393.1509.2(3), RSMo, which requires the commission's order to be effective no later than one hundred eighty (180) days from the receipt of a petition under the statute. Scott Stacey, Deputy Counsel, staff counsel's office, on behalf of the commission staff agreed with OPC's suggestion.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission appreciates OPC's participation in the rulemaking process and agrees with the OPC's suggestion of adding "to become effective" in section (3).

**COMMENT #2:** Brian LaGrand submitted written comments on behalf of Missouri American Water Company (MAWC) and provided comments at the hearing. MAWC is generally supportive of the proposed rule, but had several suggested changes. MAWC commented that it appreciated staff's willingness to make the suggested changes as proposed in staff's comments filed on December 17, 2024. MAWC suggested a change to subsection (2)(A) to clarify when the twelve- (12-) month period restriction begins; to subsection (2)(C) to define when the existing water and sewer infrastructure rate adjustment (WSIRA) is reset to zero; and to clarify subsection (3)(A). Staff agreed with MAWC's suggested language additions and deletions.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission appreciates MAWC's participation in the rulemaking process and agrees with the MAWC's suggestions for changing subsections (2)(A) and (2)(C). The commission will add language to define that the twelve- (12-) month period begins on the effective date of the WSIRA rate schedules resulting from the initial WSIRA in subsection (2)(A). The commission will change subsection (2)(C) to define that the WSIRA is reset to zero on the effective date of rate schedules resulting from a general rate proceeding for the utility. The commission will also clarify subsection (3)(A) by changing "applicable and appropriate" to "consistent."

**COMMENT #3:** MAWC suggested a change in part (4)(B)8.I.(VII) to insert another type of pumps. Staff agreed with MAWC's suggestion.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with MAWC's suggestion of adding "high service or discharge pumps" to part (4)(B)8.I.(VII) and will change that part accordingly.

**COMMENT #4:** MAWC suggested a change in subparagraph (4)(B)9.E. to clarify that the explanation required is for whether the project associated with the WSIRA is intended solely for customer growth. Staff agreed with MAWC's suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with MAWC's suggestion of adding clarifying language to subparagraph (4)(B)9.E. and will make that change.

**COMMENT #5:** MAWC suggested deleting subsection (4)(D) requiring certain documents be signed, sealed, and dated by a Missouri registered professional engineer. Staff commented at the hearing that it disagreed with deleting this requirement but was willing to work with MAWC and Liberty Utilities Missouri Water, LLC, to come up with compromise language. That language was provided to the commission.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission will adopt the compromise language provided by the parties as a reasonable change to subsection (4)(D).

**COMMENT #6:** MAWC suggested a change in paragraph (5)(D)2. to clarify by replacing the word "announcement" with "notice." Staff agreed with MAWC's suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with MAWC's suggestion and will change paragraph (5)(D)2. as suggested.

**COMMENT #7:** Dean Cooper commented at the hearing on behalf of Confluence Rivers Utility Operating Company, Inc., and Liberty Utilities Missouri Water, LLC. He stated Confluence Rivers and Liberty Water were in support of MAWC's comments and staff's responsive comments filed with the commission on December 17, 2024.

**RESPONSE:** The commission appreciates Mr. Cooper, Confluence Rivers, and Liberty Water participating in the rulemaking process and thanks them for their comments. The commission added the clarifying language the parties agreed to for subsection (4)(D), but no other changes were made as a result of these comments.

**COMMENT #8:** Mr. Stacey submitted written comments on behalf of staff and made additional comments at the hearing. Curtis Gateley also commented at the hearing on behalf of staff. Mr. Stacey commented that staff was in support of the proposed rule. Mr. Stacey further stated that staff was generally supportive of the changes proposed by OPC and MAWC, with the exception of the removal of subsection (4)(D) and that clarifying language to address staff's concerns in this subsection was needed. Mr. Gateley commented regarding the reasons why a professional engineer's seal was needed and that staff was not in favor of removing subsection (4)(D). However, staff stated that clarifying language could be added to effectuate staff's purpose for wanting professional engineer seals, etc. A discussion was held among staff, MAWC, Confluence Rivers, Liberty Water, Mr. Cooper, Brian LaGrand, and OPC and clarifying language that all parties agreed to was suggested to the commission and was addressed above.

**RESPONSE:** The commission appreciates Mr. Stacey, Mr. Gateley, and staff's participation in the rulemaking process and agrees with staff on its proposed rule and additional changes which were incorporated above. No other changes were made as a result of these comments.

## **20 CSR 4240-10.185 Petitions for Water and Sewer Infrastructure Rate Adjustment**

(2) An eligible utility may effectuate a change in its WSIRA no more than two (2) times in a twelve- (12-) month period.

(A) The twelve- (12-) month period restriction starts on the effective date of WSIRA rate schedules resulting from the initial WSIRA.

(B) For the purpose of this rule, an initial WSIRA is the first WSIRA granted to the eligible utility or a subsequent WSIRA established after all existing WSIRAs have been reset to zero (0) after a general rate proceeding.

(C) Existing WSIRAs are reset to zero (0) on the effective date

of rate schedules resulting from a general rate proceeding for the eligible utility.

(3) The commission shall issue an order to become effective no later than one hundred eighty (180) days from the receipt of a complete WSIRA petition. To effectuate this requirement, staff of the commission (staff) may submit a report regarding the examination to the commission no later than ninety (90) days after the petition is filed.

(A) The staff report shall examine the information provided by the eligible utility to confirm that the underlying costs are consistent with this rule.

(B) No other revenue requirement or ratemaking issues shall be examined in consideration of the petition or associated proposed WSIRA rate schedule.

(C) In order to be considered in the staff report, any updates to the petition must be filed no later than sixty (60) days from the date the petition was filed.

(4) All eligible utilities filing a petition and proposed rate schedule with the commission to establish or change a WSIRA shall implement the following requirements.

(B) The petition for a WSIRA shall include –

1. All information contained in the requirements of 20 CSR 4240-2.060(1) and (6);

2. The petitioner's number of water or sewer connections;

3. Contact name and information with the eligible utility for communications regarding the petition;

4. Date of last general rate proceeding decided by commission order, if applicable;

5. Date and related case number of most recent five- (5-) year capital expenditure plan filed with the commission;

6. A description of all information posted on the eligible utility's website regarding the WSIRA and related infrastructure system projects;

7. A description of how the eligible utility will educate and instruct customer service personnel to handle customer questions or concerns regarding the WSIRA; and

8. Calculations and explanation of the source of and basis for –

A. State, federal, and local income or excise tax rates used to determine the proposed rates and their relation to the current statutory rates;

B. Regulatory capital structure;

C. Cost rates for debt and preferred stock;

D. Cost of common equity;

E. Property tax rates;

F. Depreciation rates;

G. Applicable customer class billing determinants used;

H. Annual reconciled differences for the recovery of revenues or credits of an effective WSIRA; and

I. Costs that are eligible for recovery during the period in which the WSIRA will be in effect, including the net original cost of the eligible infrastructure system projects, the amount of the WSIRA costs related to the eligible infrastructure system projects, and a breakdown of the eligible infrastructure projects identified by work order or cost center for each of the following project categories:

(I) Replacement of existing water and sewer pipes, and associated valves, hydrants, meters, service lines, laterals, sewer taps, curb stop, and manholes;

(II) Cleaning and relining of existing water or sewer pipes;

(III) Replacement of lead mains, lead goosenecks, and lead service lines and associated valves and meters;

(IV) Replacement of booster station(s) and lift station pump(s) with equipment of similar capacity and operations, as

well as related pipes, valves, and meters;

(V) Facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of this state;

(VI) Facilities relocations required due to construction or improvement of a highway road, street, public way, or other public work on or on behalf of a political subdivision of this state, or another entity having the power of eminent domain provided that the cost related to such projects have not been reimbursed to the eligible utility;

(VII) Replacement of water or wastewater treatment mechanical equipment with equipment of similar capacity and operation, including well and intake pumps, transfer pumps, high service or discharge pumps, and metering pumps; and

(VIII) Replacement of Supervisor Control and Data Acquisition System (SCADA) components necessary for the operation and monitoring of remote installations including radio and cellular communication equipment, and programmable logic controllers;

9. Explanation for each of the following:

A. How customers subject to the proposed WSIRA are benefiting from infrastructure system projects that will be recovered through the proposed WSIRA;

B. How the proposed WSIRA is being prorated between the affected customer classes, if applicable;

C. How the proposed WSIRA is being applied in a manner consistent with the customer classes cost-of-service study recognized by the commission in the eligible utility's most recent general rate proceeding, if applicable;

D. How the proposed WSIRA is being applied consistent with the rate design methodology utilized to develop the eligible utility's rates resulting from its most recent general rate proceeding;

E. Whether the infrastructure project associated with the proposed WSIRA is intended solely for customer growth;

F. Date the infrastructure system project associated with the WSIRA was completed and became used and useful;

G. Efforts to quantify and seek reimbursement for any costs associated with facility relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain, which could offset the requested WSIRA revenues;

H. If any of the infrastructure system projects associated with the WSIRA were funded through financing arrangements directed specifically to the projects, an explanation of how the projects were funded, including the amount of debt and the interest rate on that debt;

I. Service time of any infrastructure replaced that were in service when either replaced or abandoned; and

J. The request for proposal (RFP) process used, or the reasons that a RFP process was not used, to select the entity that performed the infrastructure replacement projects.

(D) Documents submitted in support of an application which offer the professional opinion of a licensed professional engineer shall be signed, sealed, and dated by a Missouri registered professional engineer.

(5) Upon a WSIRA becoming effective, the eligible utility shall –

(D) Eligible utilities collecting WSIRA revenues shall file their updated five- (5-) year capital expenditure plan with the commission no later than February 28 of each year. If this date falls on a weekend, then the eligible utility shall submit its plan no later than the last business day prior to February 28.

1. The five- (5-) year capital expenditure plan shall include, at a minimum, the following:

A. Total dollar amount related to recurring and developer projects along with a description of each project; and

B. Total dollar amount related to investments and a description of each project for each service area in which the utility provides services.

2. If the eligible utility knows or believes it will not meet the annual requirement, then the eligible utility shall submit a written notice within ten (10) business days prior to February 28 and shall provide –

A. Justification for not meeting the requirement;

B. A proposed extension due date not exceeding thirty (30) days from the initial due date; and

C. Measures taken to ensure it meets the next annual submittal date.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-20.015 Affiliate Transactions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission  
Chapter 20 – Electric Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.760.1 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-20.017 HVAC Services Affiliate Transactions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission  
Chapter 40 – Gas Utilities and Gas Safety Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-40.015 Affiliate Transactions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission  
Chapter 40 – Gas Utilities and Gas Safety Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-40.016 Marketing Affiliate Transactions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission  
Chapter 40 – Gas Utilities and Gas Safety Standards**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.760.1 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-40.017 HVAC Services Affiliate Transactions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1616-1617). No changes have been made

to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

### Division 4240 – Public Service Commission Chapter 50 – Water Utilities

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

20 CSR 4240-50.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 15, 2024 (49 MoReg 1719-1721). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended December 15, 2024, and the commission held a public hearing on the proposed rule on December 18, 2024. The commission received three (3) written comments from parties during the comment period and four (4) parties commented at the hearing. The comments were generally in support of the proposed rule with a few suggested changes.

COMMENT #1: Anna Martin, Associate Counsel, on behalf of the Office of the Public Counsel (OPC), submitted written comments and provided comments at the hearing. Mr. Marc Poston, Chief Counsel, on behalf of OPC also provided comments at the hearing. OPC submitted comments in regards to an unexplained difference between the proposed water rule and the proposed sewer rule. One difference is 20 CSR 4240-60.050 (sewer) includes an entire section with subsections, requiring “a rate base calculation following the commission approved Uniform System of Accounts (“USOA”) requirements with workpapers and supporting documents for the assets to be acquired.” This requirement does not appear in the 20 CSR 4240-50.060 proposed water rule. Scott Stacey, Deputy Counsel, submitted written comments on behalf of the commission staff, and made additional comments at the hearing. Curtis Gateley also commented at the hearing on behalf of staff. Staff proposed adding “the following” under paragraph (3)(A)11. Brian LaGrand on behalf of Missouri-American Water Company (MAWC) commented at the hearing that MAWC did not agree with the inclusion of new paragraph (3)(A)11., as a rate base calculation is not warranted under an application for a certificate of convenience and necessity. MAWC further stated that requirement was more appropriate during a rate case. OPC and staff disagreed with MAWC and stated this information is needed.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC that this paragraph was inadvertently not included in the proposed water rule. The commission disagrees with the MAWC’s suggestion of not including paragraph (3)(A)11. and agrees with OPC and staff that this information is needed. The commission agrees this paragraph should be inserted and will add a new paragraph (3)(A)11.

COMMENT #2: Anna Martin, on behalf of OPC, also commented that another difference between the proposed water rule and the proposed sewer rule is subparagraph (3)(A)9.D., requiring the utility to provide “Estimated corporate allocation/expense including a detailed explanation of how the allocations were calculated” is included in 20 CSR 4240-60.050 (proposed sewer rule) but not in 20 CSR 4240-50.060 (proposed water rule). Additionally, MAWC suggested rewriting paragraph (3)(A)9. Staff agreed that the language in subparagraph (3)(A)9.D. had been inadvertently left out of the rule and staff agreed with MAWC’s suggested language.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with OPC that subparagraph (3)(A)9.D. should be included in the water rule the same as it is being included in the proposed sewer rule. The commission also agrees with the MAWC’s suggestion of rewriting paragraph (3)(A)9. for clarity. The commission will rewrite paragraph (3)(A)9. and insert missing subparagraph (3)(A)9.D.

COMMENT #3: OPC commented it is supportive of the proposed rule but suggested requiring a petitioning utility to provide any relevant purchase agreement that set forth the terms of an asset’s acquisition, including its purchase price. The commission staff supported the change and proposed adding OPC’s suggestion to new paragraph (3)(A)12.

Dean Cooper commented at the hearing on behalf of Confluence Rivers Utility Operating Company, Inc., and for Liberty Utilities Missouri Water, LLC. Mr. Cooper, also responded at the hearing that that new subparagraph (3)(A)12.B. regarding acquisition premiums as proposed by staff in responsive comments needed to be rewritten and made suggestions.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the OPC’s suggestion of adding this requirement. The commission will add new paragraph (3)(A)12. as proposed by OPC and staff, in combination with the suggestions proposed by Mr. Cooper.

COMMENT #4: Brian LaGrand submitted written comments on behalf of Missouri American Water Company (MAWC) and provided comments at the hearing. MAWC is generally supportive of the proposed rule, but had several suggestions including adding an exception in section (2) for when a public vote has been held. OPC commented at the hearing that it largely agreed with MAWC’s suggestions; however, there were a few areas of concern on suggested language posed by MAWC to section (2) regarding a public vote. Mr. Poston stated that not every customer may be notified that a vote is being or has been held, such as when communities vote to approve the sale of a municipal water system which had unforeseen issues with the public, and existing customers of a system that were not notified that a vote took place on a new system as they were not members of that system. OPC suggested rejection of the suggested language proposed by MAWC.

RESPONSE: The commission agrees with OPC that the language suggested by MAWC may cause a problem with all customers being notified. The commission will not accept the change proposed by MAWC to section (2). No change resulted as of this comment.

COMMENT #5: MAWC also commented suggesting changes to section (3) and subparagraph (3)(A)2.A. regarding requiring items be included in the application for a certificate of convenience and necessity by a sewer company only if available and allowing the commission to establish a time by which the items must be provided. MAWC suggested the proposed language appeared to indicate the application would be dismissed if the items were not provided.

OPC commented at the hearing that MAWC's suggested language in section (3) undercuts the goals of the proposed rule as the changes would create a rule with an acquired system's failed bookkeeping in mind. OPC suggests the commission not accept MAWC's changes to section (3) and also suggests that if the utility has issues with obtaining documents, that it can request a waiver with the commission. MAWC commented that it did not agree with OPC, as not all documents are readily available during the acquisition phase of a system due to some sellers not being sophisticated with bookkeeping, etc. MAWC's proposed change recommended to subparagraph (3)(A)2.A. was to clarify the type of map to be included. Staff agreed with MAWC's suggested changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the MAWC's suggestion of removing and adding portions to and from section (3) to require items be included in the application for a certificate of convenience and necessity by a sewer company only if available and allowing the commission to establish a time by which the items must be provided. The commission also clarifies subparagraph (3)(A)2.A. The commission will also clarify that subparagraphs (3)(A)3.A. and (3)(A)3.B. require the utilities to make an affirmative statement of the information that is known about the age of the existing plant and if the age is unknown to estimate the age.

COMMENT #6: MAWC commented suggesting an addition to subparagraph (3)(A)5.B. Staff agreed with MAWC's suggested change.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the MAWC's suggestion of adding "by seller or buyer" to subparagraph (3)(A)5.B. to add clarification.

COMMENT #7: MAWC commented suggesting clarification of subparagraphs (3)(B)7.A. and (3)(C)2.A. and the deletion of subparagraphs (3)(B)7.F. and (3)(C)2.F. Staff agreed with MAWC's suggested changes.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the MAWC's suggestion of adding "created with professional mapping software, or be" to subparagraphs (3)(B)7.A. and (3)(C)2.A. and deleting subparagraphs (3)(B)7.F. and (3)(C)2.F. as they were unclear.

COMMENT #8: MAWC suggested a correction making subparagraph (3)(C)3.E. as published become new paragraph (3)(C)4. as that requirement should not fall under what is provided in the professional engineering report. Staff agreed with MAWC's suggested change.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the MAWC's suggestion of moving the requirement in subparagraph (3)(C)3.E. to new paragraph (3)(C)4.

COMMENT #9: Mr. Cooper stated Confluence Rivers had no objections to staff's comments filed with the commission on December 17, 2024. He also stated that Liberty Water is in support of MAWC's comments. Mr. Cooper stated in response to OPC's comment on the public vote language that was submitted by MAWC should remain, as the utilities are talking about a seller that is not currently regulated by this commission (e.g., municipality, water district, and homeowners association). He further stated these entities are not going to keep records in the same way as a regulated entity would. Also, Mr. Cooper stated that these entities already have a responsibility to interact with the customers requiring a public vote.

RESPONSE AND EXPLANATION OF CHANGE: The commission appreciates Confluence Rivers and Liberty Water's participation in the rulemaking process and agrees with Mr. Cooper's suggested change adding a new subparagraph (3)(A)12.B. and

makes the change. The commission disagrees, however, with MAWC's suggested addition regarding a public vote being held and disagrees with the removal of paragraph (3)(A)7. No changes other than those stated above in this order were made as a result of these comments.

COMMENT #10: Mr. Stacey commented that staff was in support of the proposed rule and that he submitted comments and responses in regards to the written comments filed on behalf of OPC and MAWC on December 17, 2024. Mr. Stacey further stated that staff was generally supportive of the changes proposed by OPC and MAWC. Mr. Gateley commented that staff agreed with Mr. Cooper's changes to subparagraph (3)(A)12.B. changing the word "utility" to "facility" and other changes were reasonable. Mr. Gateley further agreed that the changes proposed by MAWC on information not being available during an acquisition are reasonable. Mr. Stacey and Mr. Gateley further stated that the language proposed by MAWC of "unless a public vote was held" should not be accepted.

RESPONSE: The commission thanks staff for its participation in the rulemaking process and agrees with staff on its proposed rule and additional changes as posed above. No other changes were made as a result of these comments.

COMMENT # 11: Upon review, staff commented that subparagraphs (3)(A)12.A. and B. should be paragraphs in order to maintain parallel structure.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees and has made the change.

## 20 CSR 4240-50.060 Filing Requirements for Water Utility Applications for Certificates of Convenience and Necessity

(3) Application for a certificate of convenience and necessity by a water utility shall include the following, if available, or be subject to dismissal if the required information is not submitted within any time period that may be established by the commission:

(A) If the application is for a service area, where service is currently provided by an existing water utility, the application shall contain the following items:

1. The legal description of the area to be certified;
2. A legible map of the proposed service area of appropriate scale that meets the following requirements:
  - A. Be created using professional mapping software, or be based on a color aerial or satellite photograph;
  - B. Include a defined boundary of the entire service area encompassing all customers;
  - C. Show nearby roads and highways with large and legible labels;
  - D. Include a legend of map features for features shown on the map;
  - E. Include all features of the water system within the service area;
3. A description of the existing utility providing water, including –
  - A. Age or, if unknown, the estimated age, and a general description of the type of water system;
  - B. Age or, if unknown, the estimated age, and material of the water system;
  - C. Water demand total and total for each customer class;
  - D. Design capacity the treatment system is authorized to serve according to the Missouri Department of Natural Resources (DNR), number of customers presently connected, and the projected number of customers within the next five (5) years; and

E. Any violations of DNR requirements within the last five (5) years;

4. A description of any proposed operation or capital improvements to the water system, including the reason for the improvements, estimated cost of capital improvements, and proposed timeline for completion of the improvements that satisfy any outstanding Missouri State Operating Permit (permit) requirements from DNR;

5. A description and copy of all notifications or meetings with existing customers prior to the filing of the application regarding the change in ownership, and –

A. If the purchase was subject to a vote of customers and that vote was approved by voters, provide a copy of all customer notifications, meeting handouts, presentations, and outreach efforts, including documentation that supported the sale of the system, and a copy of the ballot language in which the voters reviewed when voting for the approval to sell the system and the results of that vote; or

B. If the purchase was not subject to a vote of customers, a copy of all notifications sent to customers by seller or buyer or, if unable to provide a copy of a notification, a statement indicating the notification could not be produced and the reason it could not be provided;

6. An economic feasibility study, with the proposed method for financing, proposed rates, service charges, and revenues and expenses during the first three (3) years of operation;

7. If there are any customers within another service area currently being served by the system to be acquired, the addresses of these customers;

8. A description of the estimated cost the buyer will incur to incorporate the seller's water system customers into the buyer's company;

9. The estimated costs to operate the system, including copies of any available support documentation, for each of the following:

A. Any contracts in effect necessary for the provision of service;

B. Estimated Public Service Commission assessments expense;

C. DNR fees and assessments expense;

D. Estimated corporate allocation/expense including a detailed explanation of how the allocations were calculated;

E. Chemical expense;

F. Electrical expense;

G. Postage expense;

H. Repair and maintenance expense;

I. Testing and sampling expense;

J. Mowing expense;

K. Office supplies expense;

L. Customer billing expense;

M. Outside services expense;

N. Income tax expense; and

O. Any other miscellaneous expenses; and

10. Financial statement, general ledgers, invoices, and billing registers for the seller's water and/or sewer systems, if available, for the previous five (5) years;

11. A rate base calculation following the commission-approved Uniform System of Accounts (USOA) requirements with workpapers and supporting documentation for the assets to be acquired. All workpapers and supporting documents for the valuation of the water utility assets being acquired shall include but not be limited to the following:

A. A list of all USOA accounts that are in use or expected to be in use based on the capital improvements identified in paragraph (3)(A)4.;

B. The existing plant in service balance by USOA account

number for each plant item;

C. Copies of invoices for the original purchase, installation, and subsequent capital repairs and additions, if any;

D. The current depreciation reserve for each USOA account with supporting backup calculations showing how the amounts were derived and depreciation rates used; and

E. The amount of Contribution in Aid of Construction (CIAC);

12. The purchasing agreement that set forth the terms of the acquisition including purchase price; and

13. Whether an acquisition premium exists and if the purchasing facility intends to seek recovery of the cost from ratepayers;

(B) If the application is for a service area where service is not currently provided by an existing utility providing water, the application shall contain the following items:

1. A description of the circumstances including economic, environmental, or other, driving the need for services in the requested area and the facts showing that the granting of the application is required by the public convenience and necessity;

2. If there are ten (10) or more residents or landowners, the name and address of at least ten (10) proposed service area residents or landowners, or the name and address of all residents and landowners if fewer than ten (10) in the proposed service area;

3. A description of any other water utility service areas of commission-regulated companies or political subdivisions within one (1) mile of the proposed service area;

4. A report bearing the seal of a professional engineer registered in the state of Missouri, including –

A. A physical description of the proposed water system to be constructed;

B. The cost of the proposed water system and the cost of alternative water systems examined; and

C. A timeline for completion of construction that incorporates permit requirements from DNR;

5. Projected financial details including –

A. The proposed method for financing construction and the resulting capital structure;

B. An economic feasibility study detailing expected revenues earned and expected expenses to be incurred during all phases of the project;

C. Projected rate base over all phases of the project;

D. Proposed rates charged to ratepayers over all phases of the project. If the phases of the project will continue past five (5) years, estimated rate charges for phases beyond five (5) years may be submitted; and

E. Projections of customer growth over all phases of the project including the number of existing households currently utilizing an unregulated form of water system that are expected to become utility customers;

6. The legal description of the area to be certificated; and

7. A legible map of the proposed service area, meeting the following requirements:

A. Be created with professional mapping software, or be based on a color aerial or satellite photograph;

B. Include a defined boundary of the entire service area, which encompasses all customers;

C. Show nearby roads and highways with large and legible labels;

D. Include a legend of the map features; and

E. Include all collection, storage, and treatment features of the sewer system within the service area; and

(C) If the application is for a new structure, such as construction of a new pipeline to convey sewage to a treatment facility that will not involve additional customers, the application



shall contain the following items:

1. The legal description of the area to be certificated;
2. A legible map of the proposed service area, meeting the following requirements:
  - A. Be created with professional mapping software, or be based on a color aerial or satellite photograph;
  - B. Include defined boundaries of the entire service area(s);
  - C. Show nearby roads and highways with large and legible labels;
  - D. Include a legend of map features; and
  - E. Include all water treatment, storage, and distribution features of the water system with the service area; and
3. A report bearing the seal of a professional engineer registered in the state of Missouri, including –
  - A. A detailed physical description of the feature to be constructed;
  - B. A description of why the new features are necessary;
  - C. The cost of the proposed feature and any of the available alternative examined; and
  - D. A timeline for completion of construction, which incorporates permit requirements from DNR; and
4. The projected impact upon the applicant's revenue requirements.

**TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE**

**Division 4240 – Public Service Commission**

**Chapter 60 – Standards of Service by Sewer Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under section 386.250, RSMo 2016, the commission adopts a rule as follows:

20 CSR 4240-60.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 15, 2024 (49 MoReg 1721-1723). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended December 15, 2024, and the commission held a public hearing on the proposed rule on December 18, 2024. The commission received three (3) written comments from parties during the comment period and four (4) parties commented at the hearing. The comments were generally in support of the proposed rule with a few suggested changes.

**COMMENT #1:** Anna Martin, Associate Counsel, on behalf of the Office of the Public Counsel (OPC), submitted written comments and provided comments at the hearing. Marc Poston, Chief Counsel, on behalf of OPC also provided comments at the hearing. OPC stated it is supportive of the proposed rule but suggested requiring a petitioning utility to provide any relevant purchase agreement that set forth the terms of an asset's acquisition, including its purchase price. The commission staff supported the change and proposed adding OPC's suggestion to new paragraph (3)(A)12.

Dean Cooper commented at the hearing on behalf of

Confluence Rivers Utility Operating Company, Inc., and for Liberty Utilities Missouri Water, LLC. Mr. Cooper also responded at the hearing that that new subparagraph (3)(A)12.B. regarding acquisition premiums as proposed by staff in responsive comments needed to be rewritten and made suggestions.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the OPC's suggestion of adding this requirement. The commission will add new paragraph (3)(A)12. as proposed by OPC and staff, in combination with the suggestions proposed by Mr. Cooper, including a new subparagraph (3)(A)12.B.

**COMMENT #2:** Brian LaGrand commented on behalf of Missouri American Water Company (MAWC). MAWC is generally supportive of the proposed rule, but had several suggested changes including adding an exception in section (2) for when a public vote has been held. OPC commented at the hearing that it largely agreed with MAWC's suggestions; however, there were a few areas of concern on suggested changes posed by MAWC to section (2) regarding a public vote. Mr. Poston stated that not every customer may be notified that a vote is being or has been held, such as when communities vote to approve the sale of a municipal water system which had unforeseen issues with the public, and existing customers of a system that were not notified that a vote took place on a new system as they were not members of that system. OPC suggested rejection of the suggested language proposed by MAWC.

**RESPONSE:** The commission agrees with OPC that the language suggested by MAWC may cause a problem with all customers being notified. The commission will not accept the change proposed by MAWC to section (2). No changes were made as a result of this comment.

**COMMENT #3:** MAWC also commented suggesting changes to section (3) and subparagraph (3)(A)2.A. regarding requiring items be included in the application for a certificate of convenience and necessity by a sewer company only if available and allowing the commission to establish a time by which the items must be provided. MAWC suggested the proposed language appeared to indicate the application would be dismissed if the items were not provided.

OPC commented at the hearing that MAWC's suggested language in section (3) undercuts the goals of the proposed rule as the changes would create a rule with an acquired system's failed bookkeeping in mind. OPC suggests the commission not accept MAWC's changes to section (3) and also suggests that if the utility has issues with obtaining documents, that it can request a waiver with the commission. MAWC commented that it did not agree with OPC, as not all documents are readily available during the acquisition phase of a system due to some sellers not being sophisticated with bookkeeping, etc. MAWC's proposed change recommended to subparagraph (3)(A)2.A. was to clarify the type of map to be included. Staff agreed with MAWC's suggested changes.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the MAWC's suggestion of removing and adding portions to and from section (3) to require items be included in the application for a certificate of convenience and necessity by a sewer company only if available and allowing the commission to establish a time by which the items must be provided. The commission also clarifies subparagraph (3)(A)2.A.

**COMMENT #4:** MAWC also commented suggesting changes to paragraph (3)(A)3. to provide the age need only be provided

if known and, if unknown, should be an estimated age. Staff agreed with MAWC's added suggestion listed above.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the MAWC's suggested addition to subparagraphs (3)(A)3.A. and (3)(A)3.B. so that the utilities are making an affirmative statement of the information that is known about the age of the existing collection and treatment system.

**COMMENT #5:** MAWC commented suggesting an addition to subparagraph (3)(A)5.B. Staff agreed with MAWC's suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the MAWC's suggestion of adding "by seller or buyer" to subparagraph (3)(A)5.B. to add clarification.

**COMMENT #6:** MAWC suggested rewriting paragraph (3)(A)10. Staff agreed with MAWC's suggested language.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the MAWC's suggestion of rewriting paragraph (3)(A)10. for clarity.

**COMMENT #7:** MAWC commented suggesting clarification of subparagraphs (3)(B)7.A. and (3)(C)2.A. and the deletion of subparagraphs (3)(B)7.F. and (3)(C)2.F. Staff agreed with MAWC's suggested changes.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the MAWC's suggestion of adding "created with professional mapping software, or be" to subparagraphs (3)(B)7.A. and (3)(C)2.A. and deleting subparagraphs (3)(B)7.F. and (3)(C)2.F. as they were unclear.

**COMMENT #8:** MAWC suggested a correction making subparagraph (3)(C)3.E. as published become new paragraph (3)(C)4. as that requirement should not fall under what is provided in the professional engineering report. Staff agreed with MAWC's suggested change.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the MAWC's suggestion of moving the requirement in subparagraph (3)(C)3.E. to new paragraph (3)(C)4.

**COMMENT #9:** Brian LaGrand commented at the hearing that MAWC did not agree with the inclusion of paragraph (3)(A)7., as a rate base calculation is not warranted under an application for a certificate of convenience and necessity. MAWC further stated that requirement was more appropriate during a rate case. OPC and staff disagreed with MAWC and stated this information is needed.

**RESPONSE:** The commission disagrees with the MAWC's suggestion of removing paragraph (3)(A)7. and agrees with OPC and staff that this information is needed. No changes were made as a result of this comment.

**COMMENT #10:** Dean Cooper commented on behalf of Confluence Rivers Utility Operating Company, Inc., and for Liberty Utilities Missouri Water, LLC. He stated Confluence Rivers had no objections to staff's comments filed with the commission on December 17, 2024. Liberty Water also indicated it is in support of MAWC's comments. Mr. Cooper stated in response to OPC's comment regarding the public vote language that was submitted by MAWC that the language should remain, as the utilities are talking about a seller that is not currently regulated by this commission (e.g., municipality, water district, and homeowners association). He further stated these entities are not going to keep records in the same way as a regulated entity would. Also, he stated that these entities already have a responsibility to interact with the customers requiring a public vote.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission appreciates Confluence Rivers and Liberty Water's participation in the rulemaking process and agrees with Mr. Cooper's suggested change adding a new subparagraph (3)(A)12.B. and will make the change. The commission disagrees with MAWC's suggested addition regarding a public vote being held and disagrees with the removal of paragraph (3)(A)7. No changes other than those stated above in this order were made as a result of these comments.

**COMMENT #11:** Scott Stacey, Deputy Counsel, submitted written comments on behalf of the commission staff, and made additional comments at the hearing. Curtis Gateley also commented at the hearing on behalf of staff. Mr. Stacey commented that staff was in support of the proposed rule and that on December 17, 2024, he submitted comments and responses in regards to the written comments filed on behalf of OPC and MAWC. Mr. Stacey further stated that staff was generally supportive of the changes posed by OPC and MAWC. Mr. Gateley commented that staff agreed with Mr. Cooper's changes to subparagraph (3)(A)12.B. changing the word "utility" to "facility" and other changes were reasonable. Mr. Gateley further agreed that the changes posed by MAWC on information not being available during an acquisition are reasonable. Mr. Stacey and Mr. Gateley for staff further stated that the language posed by MAWC of "unless a public vote was held" should not be accepted.

**RESPONSE:** The commission thanks staff for its participation in the rulemaking process and agrees with staff on its proposed rule and additional changes as posed above. No other changes were made as a result of these comments.

**COMMENT # 11:** Upon review, staff commented that subparagraphs (3)(A)12.A. and B. should be paragraphs in order to maintain parallel structure.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees and has made the change.

## **20 CSR 4240-60.050 Filing Requirements for Sewer Utility Applications for Certificates of Convenience and Necessity**

(3) Application for a certificate of convenience and necessity by a sewer company must include the following, if available, or be subject to dismissal if the required information is not submitted within any time period that may be established by the commission:

(A) If the application is for a service area, where service is currently provided by an existing sewer system, the application shall contain the following items:

1. The legal description of the area to be certified;  
2. A legible map of the proposed service area of appropriate scale and shall –

A. Be created using professional mapping software, or be based on a color aerial or satellite photograph;

B. Include a defined boundary of the entire service area encompassing all customers;

C. Show nearby roads and highways with large and legible labels;

D. Include a legend of map features for features shown on the map;

E. Include all collection, storage, and treatment features of the sewer system; and

F. Excludes unnecessary surveying information and detail;

3. A description of the existing collection and treatment system, including –

A. Age or, if unknown, the estimated age, and a general

description of the type of treatment plant (such as “oxidation ditch, constructed in 2001”);

B. Age or, if unknown, the estimated age, and material of the collection system and whether the system is gravity, pressure sewer with septic tanks, or a mixture of both;

C. Number of lift stations;

D. Design population equivalent that the treatment system is designed to serve according to the Missouri Department of Natural Resources (DNR), number of customers presently connected, and the projected number of customers within the next five (5) years; and

E. Any violations of DNR requirements within the last five (5) years;

4. A description of any proposed operation or capital improvements to the sewer system, including the reason for the improvements, estimated cost of capital improvements, and a proposed timeline for completion of the improvements that incorporates Missouri State Operating Permit (permit requirements from DNR;

5. A description and copy of all notifications or meetings with existing customers prior to the filing of the application regarding the change in ownership –

A. If the purchase was subject to a vote of customers and that vote was approved by voters, provide a copy of all customer notifications, meeting handouts, presentations, and outreach efforts, including documentation that supported the sale of the system, and a copy of the ballot language which the voters reviewed when voting for the approval to sell the system and the results of that vote; or

B. If the purchase was not subject to a vote of customers, a copy of all notifications sent to customers by seller or buyer or, if unable to provide a copy of a notification, a statement indicating the notification could not be produced and reason it could not be provided;

6. An economic feasibility study with the proposed method for financing, proposed rates, service charges, and revenues and expenses during the first three (3) years of operation;

7. A rate base calculation following the commission-approved Uniform System of Accounts (USOA) requirements with workpapers and supporting documentation for the assets to be acquired. All workpapers and supporting documents for the valuation of the sewer utility assets being acquired shall include but not be limited to the following:

A. A list of all USOA accounts that are in use or expected to be in use based on the capital improvements identified in paragraph (3)(A)4.;

B. The existing plant in service balance by USOA account number for each plant item;

C. Copies of invoices for the original purchase, installation, and subsequent capital repairs and additions, if any;

D. The current depreciation reserve for each USOA account with supporting backup calculations showing how the amounts were derived and depreciation rates used; and

E. The amount of Contribution in Aid of Construction (CIAC);

8. A description of any other sewer service areas of commission-regulated companies or political subdivisions within one (1) mile of the proposed service area. If there are any customers within another service area currently being served by the system to be acquired, a list of the addresses of these customers;

9. A description of the estimated cost the buyer will incur to incorporate the seller’s sewer system customers into the buyer’s company;

10. The estimated costs to operate the system, including copies of any available support documentation, for each of the following:

A. Any contracts in effect necessary for the provision of service;

B. Estimated Public Service Commission assessments expense;

C. DNR fees and assessments expense;

D. Estimated corporate allocation/expense including a detailed explanation of how the allocations were calculated;

E. Chemical expense;

F. Electrical expense;

G. Postage expense;

H. Repair and maintenance expense;

I. Testing and sampling expense;

J. Mowing expense;

K. Office supplies expense;

L. Customer billing expense;

M. Outside services expense;

N. Income tax expense; and

O. Any other miscellaneous expenses;

11. Financial statements, general ledgers, invoices, and billing registers for the seller’s water and/or sewer systems for the previous five (5) years; and

12. The purchasing agreement that set forth the terms of the acquisition including purchase price; and

13. Whether an acquisition premium exists and if the purchasing utility intends to seek recovery of such premium in future rates;

(B) If the application is for a service area where service is not currently provided by an existing sewer system, the application shall contain the following items:

1. A description of the circumstances (economic, environmental, etc.) driving the need for service in the requested area and the facts showing that the granting of the application is required by the public convenience and necessity;

2. If there are ten (10) or more residents or landowners, the name and address of at least ten (10) proposed service area residents or landowners, or the name and address of all residents and landowners if fewer than ten (10) in the proposed service area;

3. A description of any other sewer service areas of commission-regulated companies or political subdivisions within one (1) mile of the proposed service area;

4. A report bearing the seal of a professional engineer registered in the state of Missouri, including –

A. A physical description of the proposed collection and treatment system to be constructed;

B. The cost of the proposed treatment system and the cost of alternative treatment systems examined; and

C. A timeline for completion of construction, which incorporates permit requirements from DNR;

5. Projected financial details including –

A. The proposed method for financing construction and the resulting capital structure;

B. An economic feasibility study detailing expected revenues earned and expected expenses to be incurred during all phases of the project;

C. Projected rate base over all phases of the project;

D. Proposed rates charged to ratepayers over all phases of the project. If the phases of the project will continue past five (5) years, estimated rate charges for phases beyond five (5) years may be submitted; and

E. Projections on customer growth over all phases of the project including the number of existing households currently

utilizing an unregulated form of sewer sanitation expected to become utility customers;

6. The legal description of the area to be certificated; and

7. A legible map of the proposed service area, meeting the following requirements:

A. Be created with professional mapping software, or be based on a color aerial or satellite photograph;

B. Include a defined boundary of the entire service area, which encompasses all customers;

C. Show nearby roads and highways with large and legible labels;

D. Include a legend of the map features; and

E. Include all collection, storage, and treatment features of the sewer system within the service area; and

(C) If the application is for a new structure, such as construction of a new pipeline to convey sewage to a treatment facility that will not involve additional customers, the application shall contain the following items:

1. The legal description of the area to be certificated;

2. A legible map of the proposed service area, meeting the following requirements:

A. Be created with professional mapping software, or be based on a color aerial or satellite photograph;

B. Include defined boundaries of the entire service area(s);

C. Show nearby roads and highways with large and legible labels;

D. Include a legend of map features; and

E. Include all collection, storage, and treatment features of the sewer system within the service area;

3. A report bearing the seal of a professional engineer registered in the state of Missouri, including –

A. A detailed physical description of the feature to be constructed;

B. A description of why the new features are necessary;

C. The cost of the proposed feature and any of the available alternative examined; and

D. A timeline for completion of construction, which incorporates permit requirements from DNR; and

4. The projected impact upon the applicant's revenue requirements.

## TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

### Division 4240 – Public Service Commission Chapter 80 – Steam Heating Utilities

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-80.015** Affiliate Transactions **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1617). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

### Division 4240 – Public Service Commission Chapter 80 – Steam Heating Utilities

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.760.1 and 393.140, RSMo 2016, the commission rescinds a rule as follows:

**20 CSR 4240-80.017** HVAC Services Affiliate Transactions **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2024 (49 MoReg 1617-1618). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

## TITLE 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN

### Division 10 – Health Care Plan Chapter 2 – State Membership

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.020** General Membership Provisions **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1825-1828). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN

### Division 10 – Health Care Plan Chapter 2 – State Membership

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.025** Rule for Participating Higher Education Entity Entry into the Missouri Consolidated Health Care Plan **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register*

on December 2, 2024 (49 MoReg 1828). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN**

**Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.046** PPO 750 Plan Benefit Provisions and Covered Charges **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1828-1829). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN**

**Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.047** PPO 1250 Plan Benefit Provisions and Covered Charges **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1829). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN**

**Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under sections 103.059 and 103.080.3, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.053** Health Savings Account Plan Benefit Provisions and Covered Charges **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1829-1830). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN**

**Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.055** Medical Plan Benefit Provisions and Covered Charges **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1830-1835). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN**

**Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.075** Review and Appeals Procedure **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1836). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN  
Division 10 – Health Care Plan  
Chapter 2 – State Membership  
ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.089** Pharmacy Employer Group Waiver Plan for Medicare Primary Members **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1836-1837). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN  
Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.090** Pharmacy Benefit Summary **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1837-1838). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN  
Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.120** Partnership Incentive Provisions and Limitations **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1838). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN  
Division 10 – Health Care Plan  
Chapter 2 – State Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-2.140** Strive for Wellness<sup>®</sup> Health Center Provisions, Charges, and Services **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1838-1839). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN  
Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.020** General Membership Provisions **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1839-1841). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE  
PLAN  
Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under sections 103.059 and 103.080.3, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.055** Health Savings Account Plan Benefit Provisions and Covered Charges **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1841). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN**

**Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.057** Medical Plan Benefit Provisions and Covered Charges **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1841-1847). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN**

**Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.058** PPO 750 Plan Benefit Provisions and Covered Charges **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1847). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN**

**Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.059** PPO 1250 Plan Benefit Provisions and Covered Charges **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1847). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN**

**Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.075** Review and Appeals Procedure **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1847-1848). No changes have been made to 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 22 – MISSOURI CONSOLIDATED HEALTH CARE PLAN**

**Division 10 – Health Care Plan  
Chapter 3 – Public Entity Membership**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Consolidated Health Care Plan under section 103.059, RSMo 2016, the acting executive director amends a rule as follows:

**22 CSR 10-3.090 Pharmacy Benefit Summary is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 2, 2024 (49 MoReg 1848-1849). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.



This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR  
SERVICES**

**Division 60 – Missouri Health Facilities Review  
Committee**

**Chapter 50 – Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for April 24, 2025. These applications are available for public inspection at the address shown below.

**Date Filed**

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

**3/05/2025**

**#6188 HT:** Barnes-Jewish St. Peters Hospital  
St. Peters (St. Charles County)  
\$2,303,426, Replace MRI

**#6189 HT:** Missouri Baptist Medical Center  
St. Louis (St. Louis County)  
\$1,369,336, Replace cath lab

**3/12/2025**

**#6162 HT:** Lake Regional Health System  
Osage Beach (Camden County)  
\$1,380,827, Replace cath lab

**3/13/2025**

**#6191 HT:** Saint Francis Medical Center  
Cape Girardeau (Cape Girardeau County)  
\$8,123,411, Replace two linear accelerators

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by April 13, 2025. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
920 Wildwood Dr.  
PO Box 570  
Jefferson City, MO 65102

For additional information, contact Alison Dorge at alison.dorge@health.mo.gov.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in editable electronic file manuscript by email to [adrules.dissolutions@sos.mo.gov](mailto:adrules.dissolutions@sos.mo.gov).

**NOTICE OF VOLUNTARY DISSOLUTION AND TERMINATION FOR A.D. RENTAL PROPERTIES, INC**

On December 31, 2024, A.D. RENTAL PROPERTIES, INC., a Missouri corporation (the "Company"), filed its Articles of Dissolution by Voluntary Action 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:

A.D. RENTAL PROPERTIES, INC.  
c/o THE LAW OFFICE OF JESSE A. GRANNEMAN, LLC  
20 Manor Drive  
PO Box 250  
Troy, MO 63379

A summary shall include:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of the claim;
- 3) The date(s) the claim accrued;
- 4) A brief description of the nature and basis for the claim; and
- 5) 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 publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
CHESTERFIELD KIDS ACADEMY, LLC**

On July 31, 2023, Chesterfield Kids Academy, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was July 31, 2023. Chesterfield Kids Academy, LLC, hereby requests that all persons and organizations with claims against it present them immediately by letter to:

Chesterfield Kids Academy, LLC  
c/o Gregory E. Robinson, P.C.  
670 Mason Ridge Center Drive, Suite 125  
St. Louis, MO 63141

All claims must include:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount claimed;
- 3) The basis for the claim;
- 4) The date(s) on which the event(s) on which the claim is based occurred; and
- 5) Any documentation in support of the claim.

NOTICE: Because of the dissolution of Chesterfield Kids Academy, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

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

On July 31, 2023, YerAna, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was July 31, 2023. YerAna, LLC hereby requests that all persons and organizations with claims against it present them immediately by letter to:

YerAna, LLC  
c/o Gregory E. Robinson, P.C.  
670 Mason Ridge Center Drive, Suite 125  
St. Louis, MO 63141

All claims must include:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount claimed;
- 3) The basis for the claim;
- 4) The date(s) on which the event(s) on which the claim is based occurred; and
- 5) Any documentation in support of the claim.

NOTICE: Because of the dissolution of YerAna, LLC any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

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

On July 31, 2023, CustomSoft, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was July 31, 2023. CustomSoft, LLC hereby requests that all persons and organizations with claims against it present them immediately by letter to:

CustomSoft, LLC  
c/o Gregory E. Robinson, P.C.  
670 Mason Ridge Center Drive, Suite 125  
St. Louis, MO 63141

All claims must include:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount claimed;
- 3) The basis for the claim;
- 4) The date(s) on which the event(s) on which the claim is based occurred; and
- 5) Any documentation in support of the claim.

NOTICE: Because of the dissolution of CustomSoft, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST OVERHEAD  
DOOR MASTER, LLC**

On July 31, 2023, Overhead Door Master, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was July 31, 2023. Overhead Door Master, LLC, hereby requests that all persons and organizations with claims against it present them immediately by letter to:

Overhead Door Master, LLC  
c/o Gregory E. Robinson, P.C.  
670 Mason Ridge Center Drive, Suite 125  
St. Louis, MO 63141

All claims must include:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount claimed;
- 3) The basis for the claim;
- 4) The date(s) on which the event(s) on which the claim is based occurred; and
- 5) Any documentation in support of the claim.

NOTICE: Because of the dissolution of Overhead Door Master, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

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

On February 11, 2025, Five Pines, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was February 11, 2025. Five Pines, LLC hereby requests that all persons and organizations with claims against it present them immediately by letter to:

Five Pines, LLC  
c/o Gregory E. Robinson, P.C.  
670 Mason Ridge Center Drive, Suite 125  
St. Louis, MO 63141

All claims must include:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount claimed;
- 3) The basis for the claim;
- 4) The date(s) on which the event(s) on which the claim is based occurred; and
- 5) Any documentation in support of the claim.

NOTICE: Because of the dissolution of Five Pines, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST FOXY TOOL & SUPPLY CO, LLC**

On February 24, 2025, Foxy Tool & Supply Co, LLC, a Missouri limited liability company, Charter Number LC1388612, filed its Notice of Winding Up with the Missouri Secretary of State, effective as of the filing date. All persons or organizations having claims against Foxy Tool & Supply Co, LLC are required to present them immediately in writing to:

Kembell Woods & Martinsen LLP  
Attn: Daniel P. Wheeler  
132 Westwoods Drive  
Liberty, MO 64068

Each claim must include:

- 1) The claimant's name and current address;
- 2) The amount claimed;
- 3) The date the claim was incurred; and
- 4) A clear and concise statement of the facts supporting the claim.

NOTE: CLAIMS AGAINST FOXY TOOL & SUPPLY CO, 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 WINDING UP OF L.L. ADKINS BUILDING, LLC**

L.L. Adkins Building, LLC, a Missouri limited liability company, Charter No. LC0001146, filed Articles of Organization with the Secretary of State on July 11, 1994. The company is now being dissolved by consent of its member, and the company filed a Notice of Winding Up with the Secretary of State on February 24, 2025. Persons with claims against the company are requested to present them by furnishing the following information by mail to:

Marilyn A. Adkins  
204 Highland Drive  
Boonville, MO 65233

Each claim must include:

Each claim must include:

- 1) The claimant's name and current address;
- 2) The amount claimed;
- 3) The date the claim was incurred; and
- 4) A clear and concise statement of the facts supporting the claim.

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

#### **NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMS AGAINST OUTER CIRCLE CAPITAL, LLC**

On February 27, 2025, Outer Circle Capital, 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 Outer Circle Capital, LLC, you must submit a summary in writing of the circumstances surrounding your claim to:

Levy Craig Law Firm  
a professional corporation  
4520 Main Street, Suite 400  
Kansas City, MO 64111

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 Outer Circle Capital, LLC, will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

#### **NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS AND CLAIMANTS OF MIDWEST SINUS-ALLERGY SPECIALISTS, INC**

On February 4th, 2025, MIDWEST SINUS-ALLERGY SPECIALISTS, INC., a Missouri corporation, filed its Articles of Dissolution by voluntary Action with the Missouri Secretary of State. The Dissolution was effective December 18th, 2024. Any Claims against the Company may be sent to:

Bush & Patchett, LLC  
Attn: Adam Patchett  
4240 Phillips Farm Rd., Ste. 109  
Columbia, MO 65201

Each claim must include the following information:

- 1) The name, address, and telephone number of the claimant;
- 2) The amount of claim;
- 3) The date of which the claim arose;
- 4) The basis for the claim; and
- 5) Any documentation in support of the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim in commenced within two (2) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMS AGAINST 1905 HOME DESIGN STUDIO, LLC**

On February 25, 2025, 1905 HOME DESIGN STUDIO, 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 1905 HOME DESIGN STUDIO, LLC, you must submit a summary in writing of the circumstances surrounding your claim to:

1905 HOME DESIGN STUDIO, LLC  
1309 N 5th Street  
St. Charles, MO 63301

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 1905 HOME DESIGN STUDIO, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS AND CLAIMANTS OF TRIUMPH GLOBAL, INC**

You are hereby notified that TRIUMPH GLOBAL, INC., a Missouri corporation, the principal office of which is located at 2025 Zumbuhl Rd PMB 205, Saint Charles, Missouri 63303 (the "Corporation"), filed Articles of Dissolution with the Secretary of the State of Missouri on the 31st day of December 2024. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Corporation, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF EXECUTIVE RACING, LLC**

You are hereby notified that EXECUTIVE RACING, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 30th day of December, 2024. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF KLONDIKE STONE, LLC**

You are hereby notified that KLONDIKE STONE, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 30th day of December, 2024. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF ST. CHARLES CONVENTION HOSPITALITY, LLC**

You are hereby notified that ST. CHARLES CONVENTION HOSPITALITY, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 15th day of January, 2025. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF HIGHLAND RV AND BOAT STORAGE, LLC**

You are hereby notified that HIGHLAND RV AND BOAT STORAGE, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 15th day of January, 2025. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF D & D EQUIPMENT LEASING, LLC**

You are hereby notified that D & D EQUIPMENT LEASING, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 31st day of December, 2024. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF D & D FLEET, LLC**

You are hereby notified that D & D FLEET, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 31st day of December, 2024. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS OF D & D REAL ESTATE DEVELOPMENT, LLC**

You are hereby notified that D & D REAL ESTATE DEVELOPMENT, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 31st day of December, 2024. The claim must be mailed to:

K. Andrew Weber  
200 N. 3rd St.  
Saint Charles, MO 63301

In order to file a claim with the Company, you must furnish:

- 1) The name and address of the claimant;
- 2) Amount of claim;
- 3) Basis for the claim;
- 4) Documentation of the claim; and
- 5) The date(s) on which the event(s) on which the claim is based occurred.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

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 – 49 (2024) and 50 (2025). 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>					
I CSR 10	State Officials' Salary Compensation Schedule				47 MoReg 1457
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-1.020	Animal Health	50 MoReg 333	50 MoReg 364		
2 CSR 30-10.010	Animal Health	50 MoReg 336	50 MoReg 367		
2 CSR 80-2.001	State Milk Board		49 MoReg 1571	50 MoReg 381	
2 CSR 80-2.002	State Milk Board		49 MoReg 1571	50 MoReg 381	
2 CSR 80-2.004	State Milk Board		49 MoReg 1572	50 MoReg 381	
2 CSR 80-5.010	State Milk Board		49 MoReg 1493	50 MoReg 381	
2 CSR 90-30.040	Weights, Measures and Consumer Protection		49 MoReg 1441	50 MoReg 382	
2 CSR 90-60.020	Weights, Measures and Consumer Protection		50 MoReg 291		
2 CSR 90-60.050	Weights, Measures and Consumer Protection		50 MoReg 292		
2 CSR 90-61.070	Weights, Measures and Consumer Protection		50 MoReg 292		
2 CSR 90-61.080	Weights, Measures and Consumer Protection		50 MoReg 293		
2 CSR 90-65.040	Weights, Measures and Consumer Protection		50 MoReg 293		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-4.135	Conservation Commission		50 MoReg 294		
3 CSR 10-4.140	Conservation Commission		50 MoReg 294		
3 CSR 10-5.205	Conservation Commission		50 MoReg 414		
3 CSR 10-5.560	Conservation Commission				50 MoReg 121
3 CSR 10-5.710	Conservation Commission		49 MoReg 1493	50 MoReg 109	
3 CSR 10-6.415	Conservation Commission		49 MoReg 1495	50 MoReg 109	
3 CSR 10-6.535	Conservation Commission		49 MoReg 1495	50 MoReg 109	
3 CSR 10-6.550	Conservation Commission		49 MoReg 1496	50 MoReg 109	
3 CSR 10-7.410	Conservation Commission		49 MoReg 1496	50 MoReg 110	
3 CSR 10-7.412	Conservation Commission		49 MoReg 1496	50 MoReg 110	
3 CSR 10-7.431	Conservation Commission		50 MoReg 295		
3 CSR 10-7.450	Conservation Commission		49 MoReg 1497	50 MoReg 110	
3 CSR 10-7.455	Conservation Commission			50 MoReg 110	
3 CSR 10-7.700	Conservation Commission		50 MoReg 415		
3 CSR 10-7.705	Conservation Commission		49 MoReg 1497	50 MoReg 111	
3 CSR 10-7.710	Conservation Commission		49 MoReg 1498	50 MoReg 111	
3 CSR 10-7.900	Conservation Commission		49 MoReg 793	49 MoReg 1305	
3 CSR 10-9.565	Conservation Commission		49 MoReg 1500	50 MoReg 111	
3 CSR 10-11.115	Conservation Commission		49 MoReg 1502	50 MoReg 112	
3 CSR 10-11.120	Conservation Commission		50 MoReg 416		
3 CSR 10-11.130	Conservation Commission		50 MoReg 416		
3 CSR 10-11.135	Conservation Commission		50 MoReg 417		
3 CSR 10-11.180	Conservation Commission		49 MoReg 1502	50 MoReg 112	
			50 MoReg 417		
3 CSR 10-11.186	Conservation Commission		49 MoReg 1503	50 MoReg 112	
3 CSR 10-11.205	Conservation Commission		49 MoReg 1504	50 MoReg 112	
			50 MoReg 418		
3 CSR 10-12.109	Conservation Commission		50 MoReg 418		
3 CSR 10-12.110	Conservation Commission		49 MoReg 1504	50 MoReg 112	
			50 MoReg 419		
3 CSR 10-12.115	Conservation Commission		50 MoReg 419		
3 CSR 10-12.125	Conservation Commission		50 MoReg 420		
3 CSR 10-12.130	Conservation Commission		50 MoReg 15	50 MoReg 440	
3 CSR 10-12.140	Conservation Commission		50 MoReg 420		
3 CSR 10-12.145	Conservation Commission		50 MoReg 421		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-400.125	Division of Learning Services		49 MoReg 1391	50 MoReg 300	
5 CSR 20-400.500	Division of Learning Services		50 MoReg 72		
5 CSR 20-400.530	Division of Learning Services		50 MoReg 74		
5 CSR 20-400.540	Division of Learning Services		50 MoReg 74		
5 CSR 20-400.550	Division of Learning Services		50 MoReg 75		
5 CSR 25-100.350	Office of Childhood		50 MoReg 15		
5 CSR 25-200.095	Office of Childhood	50 MoReg 277	50 MoReg 295		
5 CSR 30-660.090	Division of Financial and Administrative Services		49 MoReg 1504R	50 MoReg 301R	
<b>DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT</b>					
6 CSR 10-10.010	Commissioner of Education		49 MoReg 1891R	50 MoReg 440R	
			49 MoReg 1891	50 MoReg 440	
<b>MISSOURI DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-4.020	Missouri Highways and Transportation Commission	49 MoReg 1699	49 MoReg 1704	50 MoReg 440	
7 CSR 10-15.010	Missouri Highways and Transportation Commission		50 MoReg 76		
7 CSR 10-25.020	Missouri Highways and Transportation Commission		49 MoReg 1393	50 MoReg 301	
7 CSR 60-2.010	Highway Safety and Traffic Division	50 MoReg 65	50 MoReg 80		



RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
7 CSR 60-2.030	Highway Safety and Traffic Division	50 MoReg 67	50 MoReg 81		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
<b>DEPARTMENT OF MENTAL HEALTH</b>					
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-6.070	Director's Office		50 MoReg 145		
10 CSR 10-6.075	Director's Office		50 MoReg 149		
10 CSR 10-6.080	Director's Office		50 MoReg 150		
10 CSR 10-6.261	Director's Office		49 MoReg 1572	This Issue	
10 CSR 25-6.263	Hazardous Waste Management Commission		50 MoReg 16		
10 CSR 25-8.124	Hazardous Waste Management Commission		50 MoReg 20		
10 CSR 25-13.010	Hazardous Waste Management Commission		50 MoReg 27R		
10 CSR 90-2.070	State Parks		49 MoReg 1399	50 MoReg 194	
10 CSR 140-2.020	Division of Energy		49 MoReg 1400	50 MoReg 302	
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 40-2.025	Division of Fire Safety		49 MoReg 1505	50 MoReg 382	
11 CSR 40-6.020	Division of Fire Safety		49 MoReg 1505	50 MoReg 382	
11 CSR 40-6.025	Division of Fire Safety		49 MoReg 1506	50 MoReg 382	
11 CSR 40-6.031	Division of Fire Safety		49 MoReg 1506	50 MoReg 382	
11 CSR 40-6.033	Division of Fire Safety		49 MoReg 1509	50 MoReg 382	
11 CSR 40-6.060	Division of Fire Safety		49 MoReg 1509	50 MoReg 383	
11 CSR 40-6.065	Division of Fire Safety		49 MoReg 1512	50 MoReg 383	
11 CSR 45-1.090	Missouri Gaming Commission		50 MoReg 82		
11 CSR 45-5.080	Missouri Gaming Commission		50 MoReg 84		
11 CSR 45-5.190	Missouri Gaming Commission		50 MoReg 85		
11 CSR 45-5.192	Missouri Gaming Commission		50 MoReg 86		
11 CSR 45-5.193	Missouri Gaming Commission		50 MoReg 87		
11 CSR 45-5.194	Missouri Gaming Commission		50 MoReg 88		
11 CSR 45-5.200	Missouri Gaming Commission		50 MoReg 89		
11 CSR 45-5.210	Missouri Gaming Commission		50 MoReg 94		
11 CSR 45-5.220	Missouri Gaming Commission		50 MoReg 96		
11 CSR 45-5.225	Missouri Gaming Commission		50 MoReg 97		
11 CSR 45-5.230	Missouri Gaming Commission		50 MoReg 98		
11 CSR 45-5.235	Missouri Gaming Commission		50 MoReg 99		
11 CSR 45-5.270	Missouri Gaming Commission		50 MoReg 100		
11 CSR 45-5.300	Missouri Gaming Commission		50 MoReg 100		
11 CSR 45-9.102	Missouri Gaming Commission		50 MoReg 101		
11 CSR 45-9.105	Missouri Gaming Commission		50 MoReg 104		
11 CSR 45-9.108	Missouri Gaming Commission		50 MoReg 104		
11 CSR 45-9.109	Missouri Gaming Commission		50 MoReg 104		
11 CSR 45-9.118	Missouri Gaming Commission		50 MoReg 105		
11 CSR 45-9.121	Missouri Gaming Commission		50 MoReg 105		
11 CSR 45-13.030	Missouri Gaming Commission		49 MoReg 1442	50 MoReg 302	
11 CSR 45-20.020	Missouri Gaming Commission		50 MoReg 421		
11 CSR 45-20.030	Missouri Gaming Commission		50 MoReg 423		
11 CSR 45-20.040	Missouri Gaming Commission		50 MoReg 424		
11 CSR 45-20.050	Missouri Gaming Commission		50 MoReg 428		
11 CSR 45-20.060	Missouri Gaming Commission		50 MoReg 428		
11 CSR 45-20.070	Missouri Gaming Commission		50 MoReg 429		
11 CSR 45-20.080	Missouri Gaming Commission		50 MoReg 430		
11 CSR 45-20.090	Missouri Gaming Commission		50 MoReg 431		
11 CSR 45-20.100	Missouri Gaming Commission		50 MoReg 435		
11 CSR 45-20.110	Missouri Gaming Commission		50 MoReg 436		
11 CSR 45-20.120	Missouri Gaming Commission		50 MoReg 438		
11 CSR 45-20.130	Missouri Gaming Commission		50 MoReg 439		
11 CSR 45-30.135	Missouri Gaming Commission		49 MoReg 1442	50 MoReg 302	
11 CSR 45-30.280	Missouri Gaming Commission		49 MoReg 1443	50 MoReg 302	
11 CSR 45-30.610	Missouri Gaming Commission		49 MoReg 1443	50 MoReg 303	
11 CSR 70-2.010	Division of Alcohol and Tobacco Control		49 MoReg 1345	50 MoReg 194	
11 CSR 70-2.020	Division of Alcohol and Tobacco Control		49 MoReg 1345	50 MoReg 194	
11 CSR 70-2.050	Division of Alcohol and Tobacco Control		49 MoReg 1346	50 MoReg 195Wd	
11 CSR 70-2.060	Division of Alcohol and Tobacco Control		49 MoReg 1346	50 MoReg 195	
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		49 MoReg 1444	50 MoReg 383	
11 CSR 70-2.130	Division of Alcohol and Tobacco Control		49 MoReg 1575		
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		49 MoReg 1347	50 MoReg 195	
11 CSR 70-2.240	Division of Alcohol and Tobacco Control		49 MoReg 1347	50 MoReg 196	
11 CSR 70-2.270	Division of Alcohol and Tobacco Control		49 MoReg 1349	50 MoReg 196	
11 CSR 85-1.060	Veterans Affairs		50 MoReg 150R		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-2.155	Director of Revenue		49 MoReg 887		
12 CSR 10-24.060	Director of Revenue		49 MoReg 888		
12 CSR 10-24.420	Director of Revenue		49 MoReg 888		
12 CSR 10-24.440	Director of Revenue		49 MoReg 637R		
12 CSR 10-26.231	Director of Revenue	50 MoReg 336	50 MoReg 367		
12 CSR 10-41.010	Director of Revenue	50 MoReg 69	50 MoReg 105		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 35-71.015	Children's Division		50 MoReg 27		
13 CSR 35-71.045	Children's Division		49 MoReg 1580	50 MoReg 385	
13 CSR 70-4.080	MO HealthNet Division		49 MoReg 1512	50 MoReg 385	

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13 CSR 70-10.020	MO HealthNet Division	50 MoReg 337	50 MoReg 367		
13 CSR 70-15.010	MO HealthNet Division	49 MoReg 1329	49 MoReg 1804	This Issue	
13 CSR 70-15.160	MO HealthNet Division	49 MoReg 1760	49 MoReg 1809		
13 CSR 70-20.030	MO HealthNet Division		49 MoReg 1444	50 MoReg 385	
13 CSR 70-20.045	MO HealthNet Division		49 MoReg 1816	This Issue	
13 CSR 70-20.047	MO HealthNet Division		49 MoReg 1513	50 MoReg 386	
13 CSR 70-20.075	MO HealthNet Division	50 MoReg 5	50 MoReg 29		
13 CSR 70-20.200	MO HealthNet Division		50 MoReg 151		
13 CSR 70-20.250	MO HealthNet Division		49 MoReg 1816	This Issue	
13 CSR 70-20.300	MO HealthNet Division		49 MoReg 1817	This Issue	
13 CSR 70-20.310	MO HealthNet Division		50 MoReg 153		
13 CSR 70-25.160	MO HealthNet Division	49 MoReg 1489	49 MoReg 1513	50 MoReg 386	
13 CSR 70-94.020	MO HealthNet Division	This Issue	This Issue		
13 CSR 70-98.015	MO HealthNet Division		49 MoReg 1444	50 MoReg 386	
<b>ELECTED OFFICIALS</b>					
15 CSR 30-51.169	Secretary of State	49 MoReg 1768	49 MoReg 1818		
15 CSR 30-51.170	Secretary of State	49 MoReg 1768	49 MoReg 1819		
15 CSR 30-51.172	Secretary of State	49 MoReg 1769	49 MoReg 1820		
15 CSR 30-51.174	Secretary of State	49 MoReg 1770	49 MoReg 1821		
15 CSR 50-5.020	Treasurer		49 MoReg 1893		
15 CSR 50-5.030	Treasurer		49 MoReg 1894		
15 CSR 50-5.050	Treasurer		49 MoReg 1895		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-1.030	The Public School Retirement System of Missouri		49 MoReg 1708	50 MoReg 441	
16 CSR 10-1.040	The Public School Retirement System of Missouri		49 MoReg 1708	50 MoReg 441	
16 CSR 10-3.010	The Public School Retirement System of Missouri		49 MoReg 1708	50 MoReg 441	
16 CSR 10-5.010	The Public School Retirement System of Missouri		49 MoReg 1710	50 MoReg 441	
16 CSR 10-5.020	The Public School Retirement System of Missouri		49 MoReg 1712	50 MoReg 441	
16 CSR 10-6.020	The Public School Retirement System of Missouri		49 MoReg 1712	50 MoReg 442	
16 CSR 10-6.060	The Public School Retirement System of Missouri		49 MoReg 1714	50 MoReg 442	
16 CSR 10-6.070	The Public School Retirement System of Missouri		49 MoReg 1714	50 MoReg 442	
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-4.060	Office of the Director		50 MoReg 154		
19 CSR 10-10.030	Office of the Director		49 MoReg 1715	50 MoReg 387	
19 CSR 20-8.030	Division of Community and Public Health		49 MoReg 1583R	50 MoReg 387R	
			49 MoReg 1583	50 MoReg 387	
19 CSR 30-1.002	Division of Regulation and Licensure	49 MoReg 1557	49 MoReg 1593	50 MoReg 387	
19 CSR 30-110.010	Division of Regulation and Licensure		50 MoReg 159		
19 CSR 30-110.020	Division of Regulation and Licensure		50 MoReg 160		
19 CSR 30-110.030	Division of Regulation and Licensure		50 MoReg 167		
19 CSR 40-10.020	Division of Maternal, Child and Family Health		50 MoReg 185		
19 CSR 60-50	Missouri Health Facilities Review Committee				50 MoReg 198 50 MoReg 443
<b>DEPARTMENT OF COMMERCE AND INSURANCE</b>					
20 CSR	Applied Behavior Analysis Maximum Benefit				50 MoReg 309
20 CSR	Construction Claims Binding Arbitration Cap				50 MoReg 309
20 CSR	Non-Economic Damages in Medical Malpractice Cap				50 MoReg 309
20 CSR	Sovereign Immunity Limits				49 MoReg 1905
20 CSR	State Legal Expense Fund Cap				50 MoReg 309
20 CSR 1140-12.010	Division of Finance		49 MoReg 1606R	50 MoReg 303R	
20 CSR 1140-120.020	Division of Finance		49 MoReg 1606R	50 MoReg 303R	
20 CSR 1140-120.030	Division of Finance		49 MoReg 1606R	50 MoReg 303R	
20 CSR 1140-120.040	Division of Finance		49 MoReg 1607R	50 MoReg 303R	
20 CSR 2030-16.020	Missouri Board For Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		50 MoReg 296		
20 CSR 2030-16.050	Missouri Board For Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		50 MoReg 297		
20 CSR 2030-17.070	Missouri Board For Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		50 MoReg 298		
20 CSR 2030-17.080	Missouri Board For Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects		50 MoReg 298		
20 CSR 2040-5.070	Office of Athletics		49 MoReg 1517	50 MoReg 387	
20 CSR 2063-2.015	Behavior Analyst Advisory Board		49 MoReg 1607	50 MoReg 388	
20 CSR 2063-6.005	Behavior Analyst Advisory Board		49 MoReg 1453	50 MoReg 196	
20 CSR 2110-2.010	Missouri Dental Board		49 MoReg 1821	50 MoReg 388	
20 CSR 2110-2.050	Missouri Dental Board		49 MoReg 1822	50 MoReg 388	
20 CSR 2110-2.170	Missouri Dental Board		49 MoReg 1822	50 MoReg 388	
20 CSR 2145-2.090	Missouri Board of Geologist Registration		49 MoReg 1607	50 MoReg 388	
20 CSR 2150-4.201	State Board of Registration for the Healing Arts		50 MoReg 193		
20 CSR 2232-2.030	Missouri State Committee of Interpreter		49 MoReg 1608	50 MoReg 389	
20 CSR 2235-1.060	State Committee of Psychologists		49 MoReg 1608	50 MoReg 389	
20 CSR 2235-5.030	State Committee of Psychologists		49 MoReg 1453	50 MoReg 197	
20 CSR 2270-4.060	Missouri Veterinary Medical Board		49 MoReg 1608	50 MoReg 389	
20 CSR 4240-3.190	Public Service Commission		49 MoReg 1359	50 MoReg 304	
20 CSR 4240-3.305	Public Service Commission		49 MoReg 1716R	This Issue	
20 CSR 4240-3.600	Public Service Commission		49 MoReg 1716R	This Issue	
20 CSR 4240-10.095	Public Service Commission		49 MoReg 1364R	50 MoReg 307R	

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20 CSR 4240-10.155	Public Service Commission		49 MoReg 1609	This Issue	
20 CSR 4240-10.165	Public Service Commission		49 MoReg 1613	This Issue	
20 CSR 4240-10.175	Public Service Commission		49 MoReg 1614	This Issue	
20 CSR 4240-10.185	Public Service Commission		49 MoReg 1717	This Issue	
20 CSR 4240-20.015	Public Service Commission		49 MoReg 1615R	This Issue R	
20 CSR 4240-20.017	Public Service Commission		49 MoReg 1615R	This Issue R	
20 CSR 4240-40.015	Public Service Commission		49 MoReg 1616R	This Issue R	
20 CSR 4240-40.016	Public Service Commission		49 MoReg 1616R	This Issue R	
20 CSR 4240-40.017	Public Service Commission		49 MoReg 1616R	This Issue R	
20 CSR 4240-50.050	Public Service Commission		49 MoReg 1364R	50 MoReg 308R	
20 CSR 4240-50.060	Public Service Commission		49 MoReg 1719	This Issue	
20 CSR 4240-60.050	Public Service Commission		49 MoReg 1721	This Issue	
20 CSR 4240-80.015	Public Service Commission		49 MoReg 1617R	This Issue R	
20 CSR 4240-80.017	Public Service Commission		49 MoReg 1617R	This Issue R	

**MISSOURI CONSOLIDATED HEALTH CARE PLAN**

22 CSR 10-2.020	Health Care Plan	49 MoReg 1771	49 MoReg 1825	This Issue	
22 CSR 10-2.025	Health Care Plan	49 MoReg 1774	49 MoReg 1828	This Issue	
22 CSR 10-2.046	Health Care Plan	49 MoReg 1775	49 MoReg 1828	This Issue	
22 CSR 10-2.047	Health Care Plan	49 MoReg 1776	49 MoReg 1829	This Issue	
22 CSR 10-2.053	Health Care Plan	49 MoReg 1777	49 MoReg 1829	This Issue	
22 CSR 10-2.055	Health Care Plan	49 MoReg 1777	49 MoReg 1830	This Issue	
22 CSR 10-2.075	Health Care Plan	49 MoReg 1783	49 MoReg 1836	This Issue	
22 CSR 10-2.089	Health Care Plan	49 MoReg 1784	49 MoReg 1836	This Issue	
22 CSR 10-2.090	Health Care Plan	49 MoReg 1785	49 MoReg 1837	This Issue	
22 CSR 10-2.120	Health Care Plan		49 MoReg 1838	This Issue	
22 CSR 10-2.140	Health Care Plan	49 MoReg 1786	49 MoReg 1838	This Issue	
22 CSR 10-3.020	Health Care Plan	49 MoReg 1787	49 MoReg 1839	This Issue	
22 CSR 10-3.055	Health Care Plan	49 MoReg 1789	49 MoReg 1841	This Issue	
22 CSR 10-3.057	Health Care Plan	49 MoReg 1789	49 MoReg 1841	This Issue	
22 CSR 10-3.058	Health Care Plan	49 MoReg 1795	49 MoReg 1847	This Issue	
22 CSR 10-3.059	Health Care Plan	49 MoReg 1796	49 MoReg 1847	This Issue	
22 CSR 10-3.075	Health Care Plan	49 MoReg 1796	49 MoReg 1847	This Issue	
22 CSR 10-3.090	Health Care Plan	49 MoReg 1797	49 MoReg 1848	This Issue	

**MISSOURI DEPARTMENT OF THE NATIONAL GUARD**

**AGENCY PUBLICATION EFFECTIVE EXPIRATION**

**Department of Agriculture**

Animal Health  
 2 CSR 30-1.020 Laboratory Services and Fees .....50 MoReg 333 .....Feb. 10, 2025..... Aug. 8, 2025  
 2 CSR 30-10.010 Inspection of Meat and Poultry.....50 MoReg 336 .....Feb. 18, 2025..... Aug. 16, 2025

**Department of Elementary and Secondary Education**

Office of Childhood  
 5 CSR 25-200.095 Child Care Hearings .....50 MoReg 277 .....Jan. 23, 2025..... July 21, 2025

**Missouri Department of Transportation**

Missouri Highways and Transportation Commission  
 7 CSR 10-4.020 Relocation Assistance Program.....49 MoReg 1699 ..... Nov. 1, 2024..... April 29, 2025  
 Highway Safety and Traffic Division  
 7 CSR 60-2.010 Definitions.....50 MoReg 65 .....Jan. 1, 2025..... June 29, 2025  
 7 CSR 60-2.030 Standards and Specifications.....50 MoReg 67 .....Jan. 1, 2025..... June 29, 2025

**Department of Revenue**

Director of Revenue  
 12 CSR 10-26.231 Maximum Dealer Administrative Fees .....50 MoReg 336 .....Feb. 19, 2025.....Aug. 17, 2025  
 12 CSR 10-41.010 Annual Adjusted Rate of Interest .....50 MoReg 69 .....Jan. 1, 2025..... June 29, 2025

**Department of Social Services**

Children’s Division  
 13 CSR 35-71.015 Background Checks for Personnel of Residential Care  
 Facilities and Child Placing Agencies .....49 MoReg 1759 ..... Nov. 7, 2024..... May 5, 2025

**MO HealthNet Division**

13 CSR 70-10.020 Prospective Reimbursement Plan for Nursing Facility  
 and HIV Nursing Facility Services .....50 MoReg 337 ..... Feb. 4, 2025..... Aug. 2, 2025  
 13 CSR 70-15.160 Outpatient Hospital Services Reimbursement  
 Methodology.....49 MoReg 1760 .... Oct. 30, 2024..... April 27, 2025  
 13 CSR 70-20.075 340B Drug Pricing Program .....50 MoReg 5 ..... Dec. 9, 2024..... June 6, 2025  
 13 CSR 70-94.020 Provider-Based Rural Health Clinic .....This Issue ..... March 17, 2025..... Sept. 12, 2025

**Elected Officials**

Secretary of State  
 15 CSR 30-51.169 Fraudulent Practices of Broker-Dealers and Agents ....49 MoReg 1768 ..... Nov. 6, 2024..... May 4, 2025  
 15 CSR 30-51.170 Dishonest or Unethical Business Practices by Broker-  
 Dealers and Agents .....49 MoReg 1768 ..... Nov. 6, 2024..... May 4, 2025  
 15 CSR 30-51.172 Dishonest or Unethical Business Practices by Investment  
 Advisers and Investment Adviser Representatives .....49 MoReg 1769 ..... Nov. 6, 2024..... May 4, 2025  
 15 CSR 30-51.174 Fraudulent Practices of Investment Advisers and  
 Investment Adviser Representatives .....49 MoReg 1770..... Nov. 6, 2024..... May 4, 2025

**Department of Health and Senior Services**

Division of Regulation and Licensure  
 19 CSR 30-1.002 Schedules of Controlled Substances.....49 MoReg 1557 ..... Oct. 8, 2024..... April 5, 2025  
 19 CSR 30-30.062 Complication Plans for Certain Drug- and  
 Chemically-Induced Abortions.....Next Issue..... March 27, 2025..... Sept. 22, 2025

**Missouri Consolidated Health Care Plan**

Health Care Plan  
 22 CSR 10-2.020 General Membership Provisions .....49 MoReg 1771..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.025 Rule for Participating Higher Education Entity Entry  
 into the Missouri Consolidated Health Care Plan .....49 MoReg 1774..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.046 PPO 750 Plan Benefit Provisions and Covered Charges .49 MoReg 1775..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.047 PPO 1250 Plan Benefit Provisions and Covered Charges.49 MoReg 1776..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.053 Health Savings Account Plan Benefit Provisions and  
 Covered Charges .....49 MoReg 1777..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges .49 MoReg 1777..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.075 Review and Appeals Procedure.....49 MoReg 1783..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare  
 Primary Members .....49 MoReg 1784 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.090 Pharmacy Benefit Summary .....49 MoReg 1785 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-2.140 Strive for Wellness® Health Center Provisions, Charges,  
 and Services .....49 MoReg 1786 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.020 General Membership Provisions .....49 MoReg 1787..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.055 Health Savings Account Plan Benefit Provisions and  
 Covered Charges .....49 MoReg 1789 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.057 Medical Plan Benefit Provisions and Covered Charges .49 MoReg 1789 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.058 PPO 750 Plan Benefit Provisions and Covered Charges .49 MoReg 1795 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.059 PPO 1250 Plan Benefit Provisions and Covered Charges .49 MoReg 1796 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.075 Review and Appeals Procedure.....49 MoReg 1796 ..... Jan. 1, 2025..... June 29, 2025  
 22 CSR 10-3.090 Pharmacy Benefit Summary .....49 MoReg 1797..... Jan. 1, 2025..... June 29, 2025

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
<b>2025</b>			
25-19	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems beginning on March 14	March 14, 2025	Next Issue
25-18	Orders all executive agencies to comply with the principle of equal protection and ensure all rules, policies, employment practices, and actions treat all persons equally. Executive agencies are prohibited from considering diversity, equity, and inclusion in their hiring decisions, and no state funds shall be utilized for activities that solely or primarily support diversity, equity, and inclusion initiatives	February 18, 2025	50 MoReg 413
25-17	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting residential heating fuel until March 10, 2025	February 10, 2025	50 MoReg 411
25-16	Establishes the Governor's Workforce of the Future Challenge for the Missouri Department of Elementary and Secondary Education, with the Missouri Department of Education and Workforce Development, to improve existing career and technical education delivery systems	January 28, 2025	50 MoReg 361
25-15	Orders the Office of Childhood within the Missouri Department of Elementary and Secondary Education to improve the state regulatory environment for child care facilities and homes	January 28, 2025	50 MoReg 360
25-14	Establishes the Missouri School Funding Modernization Task Force to develop recommendations for potential state funding models for K-12 education	January 28, 2025	50 MoReg 358
25-13	Orders Executive Department directors and commissioners to solicit input from their respective agency stakeholders and establishes rulemaking requirements for state agencies	January 23, 2025	50 MoReg 356
25-12	Establishes a Code of Conduct for all employees of the Office of the Governor	January 23, 2025	50 MoReg 354
25-11	Designates members of his staff to have supervisory authority over departments, divisions, and agencies of state government	January 23, 2025	50 MoReg 352
25-10	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting products utilized by poultry and livestock producers in their farming and ranching operations until January 24, 2025	January 17, 2025	50 MoReg 350
25-09	Directs the Commissioner of Administration to ensure all flags of the United States and the State of Missouri are flown at full staff at all state buildings and grounds on January 20, 2025 for a period of 24 hours	January 15, 2025	50 MoReg 290
25-08	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan and exempts hours of service requirements for vehicles transporting residential heating fuel until February 2, 2025	January 13, 2025	50 MoReg 288
25-07	Orders the Department of Corrections and the Missouri Parole Board to assemble a working group to develop recommendations to rulemaking for the parole process	January 13, 2025	50 MoReg 287

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
25-06	Orders the Director of the Department of Public Safety and the Superintendent of the Missouri State Highway Patrol to modify the Patrol's salary schedule by reducing the time of service required to reach the top salary tier from 15 years of service to 12 years of service	January 13, 2025	50 MoReg 286
25-05	Directs the Department of Public Safety in collaboration with the Missouri State Highway Patrol to include immigration status in the state's uniform crime reporting system and to facilitate the collection of such information across the state	January 13, 2025	50 MoReg 285
25-04	Directs the Director of the Department of Public Safety in collaboration with the Superintendent of the Missouri State Highway Patrol to establish and maintain a memorandum of understanding with the U.S. Department of Homeland Security and actively collaborate with federal agencies. The Superintendent of the Missouri State Highway Patrol shall designate members for training in federal immigration enforcement	January 13, 2025	50 MoReg 284
25-03	Establishes the "Blue Shield Program" within the Department of Public Safety to recognize local governments committed to public safety within their community	January 13, 2025	50 MoReg 282
25-02	Establishes "Operation Relentless Pursuit," a coordinated law enforcement initiative	January 13, 2025	50 MoReg 281
25-01	Declares a State of Emergency and activates the Missouri State Emergency Operations Plan due to forecasted severe winter storm systems and exempts hours of service requirements for vehicles transporting residential heating fuel until January 13, 2025	January 3, 2025	50 MoReg 279
<b>2024</b>			
24-16	Orders state offices to be closed at 12:00 p.m. on Tuesday, December 24, 2024	December 9, 2024	50 MoReg 14
24-15	Orders state offices to be closed on Friday, November 29, 2024	November 7, 2024	49 MoReg 1890
24-14	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to ongoing and forecasted severe storm systems	November 5, 2024	49 MoReg 1889
24-13	Declares a drought alert for 88 Missouri counties in accordance with the Missouri Drought Mitigation and Response Plan and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	October 29, 2024	49 MoReg 1802
24-12	Revokes the rescission of Executive Order 97-97	October 24, 2024	49 MoReg 1801
24-11	Rescinds 177 executive orders that are no longer necessary or applicable to the operations of the government	October 23, 2024	49 MoReg 1799
24-10	Directs the Department of Health and Senior Services to address foods containing unregulated psychoactive cannabis products and the Department of Public Safety Division of Alcohol and Tobacco to amend regulations on unregulated psychoactive cannabis products	August 1, 2024	49 MoReg 1343
24-09	Orders executive branch state offices closed on Friday, July 5, 2024	July 1, 2024	49 MoReg 1188
24-08	Extends Executive Order 24-06 and the State of Emergency until July 31, 2024	June 26, 2024	49 MoReg 1187
24-07	Extends Executive Order 23-06 and the State of Emergency until June 30, 2024	May 30, 2024	49 MoReg 954
24-06	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	May 2, 2024	49 MoReg 847
24-05	Extends Executive Order 23-05 to address drought-response efforts until September 1, 2024	April 26, 2024	49 MoReg 792

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<b>ORDER</b>	<b>SUBJECT MATTER</b>	<b>FILED DATE</b>	<b>PUBLICATION</b>
<b>24-04</b>	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	February 29, 2024	49 MoReg 447
<b>24-03</b>	Declares a State of Emergency and declares Missouri will implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Texas to provide support with border operations	February 20, 2024	49 MoReg 446
<b>24-02</b>	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted winter storm systems	January 11, 2024	49 MoReg 270
<b>24-01</b>	Orders the Dept. of Agriculture to establish rules regarding acquisitions of agricultural land by foreign businesses	January 2, 2024	49 MoReg 136

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