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SALUS POPULI SUPREMA LEX ESTO

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



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI REGISTER

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January 3, 2022

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

HOW TO CITE RULES AND RSMO

RULES

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

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

The *Register* address is 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 35—Children’s Division
Chapter 71—Licensing Rules for Residential Treatment
Agencies for Children and Youth**

EMERGENCY RULE

13 CSR 35-71.150 Designation Rules for Qualified Residential Treatment Programs

PURPOSE: This emergency rule sets forth the requirements for the designation of a Qualified Residential Treatment Program (QRTTP).

PUBLISHER’S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

EMERGENCY STATEMENT: The Children’s Division has determined that this emergency regulation is necessary on an emergency basis to address an immediate danger to the public health, safety and/or welfare of children in Missouri. The federal Family First Prevention Services Act of 2018 (FFPSA) implemented significant changes to federal child welfare financing effective October 1, 2019, and Missouri

*has delayed implementation until September 29, 2021. The decision to delay implementation was made after discussions with internal and external partners in order to allow more time to plan for the policy, statutory, regulatory, and fiscal implications that accompany implementation of this broad, sweeping legislation. One of the reforms in the FFPSA places a limit of two (2) weeks on federal payments for placements that are not foster homes or on placements that are not considered to be “Qualified Residential Treatment Programs (QRTTP).” The Children’s Division is responsible for the creation and implementation of the QRTTP designation criteria, and the division and Department of Social Services have been working with stakeholders in the provider community, child welfare experts, and other state agencies to develop the QRTTP designation, which requires the implementation of trauma-informed treatment models in an effort to improve the quality of residential placement settings, and to mitigate the use of congregate care facilities, by expanding prevention resources. Children’s Division is vested by law with the authority and responsibility to establish the licensing standards for residential care facilities for children and youth throughout the state. See 210.486, 210.491, and 210.496, RSMo and 13 CSR 35-71. Failure to implement the QRTTP designation in Missouri will result in the use of state General Revenue funds in lieu of federal funding sources. See 42 U.S.C. 672 and 42 U.S.C. 675a. Therefore, the Children’s Division has a compelling governmental interest to promulgate this section on an emergency basis. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended by the *Missouri* and *United States Constitutions*. The Children’s Division believes that this emergency rule is fair to all interested persons and parties under the circumstances. A proposed rule, which covers this same material, is published in this *Missouri Register*. This emergency rule was filed November 18, 2021, becomes effective December 6, 2021, and expires June 3, 2022.*

(1) A qualified residential treatment program (QRTTP) means a program that has met all program requirements for designation as a QRTTP, as determined herein.

(2) To qualify for designation as a QRTTP, the agency shall meet the requirements set forth below. The designation shall not be considered a license issued by the Department of Social Services, Children’s Division.

(3) Designation Requirements.

(A) The agency shall be a residential treatment agency licensed by Children’s Division at the specialized standards for residential treatment or intensive residential treatment level in accordance with 13 CSR 35-71.

(B) The agency shall be accredited by any of the following independent, not-for-profit organizations:

1. The Commission on Accreditation of Rehabilitation Facilities (CARF);

2. The Joint Commission (JCO); or

3. The Council on Accreditation (COA).

(C) The agency shall have a trauma-informed treatment model designed to address the needs of children in the program.

(D) The agency shall be equipped to meet the clinical needs, as appropriate, of children with serious emotional or behavioral disorders or disturbances, as appropriate for the agency’s residential treatment license.

(E) The agency shall be equipped to implement the treatment identified as necessary for the children in the program.

(F) The agency shall acquire the services of registered or licensed nursing staff who—

1. Provide care within the scope of their practice as defined by law;

2. Are available twenty-four (24) hours a day and seven (7) days a week; and

3. Are on-site according to the minimum standards set forth in 13 CSR 35-71.

(G) The agency shall acquire the services of licensed clinical staff to fulfill the clinical needs of children in the program.

(H) The agency shall designate lead personnel (one (1) or more individuals) involved in the implementation of the trauma-informed practices.

(I) The agency shall create a family engagement plan to explain how the requirements below will be met for each child—

1. To the extent appropriate, and in accordance with the child's treatment plan, agencies shall facilitate the participation of family members in the child's treatment program by:

A. Facilitating outreach to the family members of the child, including siblings. The agency shall maintain documentation demonstrating how the outreach is made (including contact information), and shall maintain contact information for any known biological family and fictive kin of the child;

B. Documenting how family members are integrated into the treatment process for the child, including post-discharge, and how sibling connections are maintained; and

C. Providing discharge planning and family-based aftercare support for at least six (6) months post-discharge. This service may be performed by the agency or a subcontractor of the agency. Any subcontracting agreements shall be in writing and provided to the division upon request.

(J) The agency shall create and follow a family engagement plan, as described in this section, for each child.

(4) Application.

(A) The agency shall submit written documentation to the division or the division's designee to demonstrate the minimum qualifications identified in section three (3) of this regulation utilizing the Qualified Residential Treatment Provider Designation form (RPU-35), which is incorporated by reference and made part of this rule as published by the Department of Social Services at their website at <https://dss.mo.gov/cd/info/forms/pdf/rpu35.pdf>, November 10, 2021. This rule does not incorporate any subsequent amendments or additions.

(B) The division or designee may conduct site visits, a review of records, and interviews with staff and residents to assess the application materials and qualifications of the agency in meeting the requirements herein.

(C) Upon receipt of all documents and information set forth herein, the division shall review and determine if all QRTP designation requirements are met.

(D) The division may request further supporting documentation or information to demonstrate the minimum qualifications herein.

(E) The division shall issue a written finding to either approve or deny the agency's application for QRTP designation within forty-five (45) days of receipt of the agency's complete application.

(F) In the event that the division denies the agency's application for QRTP designation, the agency shall have the right to administrative review as stated in section seven (7) of this regulation. The denial shall be in writing and shall provide the factual basis for the decision.

(5) Designation.

(A) The QRTP designation shall be valid for a period not to exceed six (6) years and shall be subject to periodic announced and unannounced monitoring, as determined by the division.

(B) The agency shall participate in all requests by the division to review records or documents, or contact agency personnel or residents, related to the trauma-informed model and QRTP designation.

(C) The agency shall provide written notice to the division within five (5) calendar days identifying a personnel change of the lead personnel of the trauma informed practices and shall name a new indi-

vidual to lead trauma-informed practices within thirty (30) calendar days of the change.

(D) The division shall have the authority to suspend, revoke, or deny the QRTP designation in the event the division determines the agency does not meet the requirements of 13 CSR 35-71.

(E) In the event of non-compliance with the requirements of 13 CSR 35-71, the division may suspend or revoke the QRTP designation. In the notice of suspension or revocation, the division shall—

1. Include the factual basis for the suspension or revocation;

2. In the event of a suspension, issue an immediate corrective action plan to mitigate the conditions related to the suspension; and

3. Notify the agency of the right to administrative review pursuant to 13 CSR 35-71.150(7).

(F) The agency may rescind the suspension on its own decision in the event that the division determines—

1. The agency has successfully implemented the corrective action plan requested by the division to remedy the concerns that resulted in the suspensions of the designation; and

2. The agency meets all criteria set forth in 13 CSR 35-71.150.

(G) The failure to correct areas of non-compliance as identified in any request for corrective action shall be grounds for designation revocation.

(H) In the event that an agency's QRTP designation has been suspended, the agency shall have a maximum of three (3) months to correct the areas of non-compliance which lead to the suspension action by the division. If the areas of non-compliance are not corrected after three (3) months, as determined by the division, or within any timeframes set by the division, the division shall have the right to revoke the designation.

(I) In the event that an agency's QRTP designation has been revoked, the agency shall wait a period of not less than six (6) months prior to submitting the designation application again.

(6) Designation Renewal.

(A) The agency shall submit updated application materials as outlined in section (4) of this rule at least three (3) months prior but not more than six (6) months prior to the expiration date of the designation for designation renewal.

(B) The division shall issue a written finding to either approve or deny the agency's renewal for QRTP designation within forty-five (45) days of receipt of the agency's complete renewal application.

(C) The agency shall participate in all requests by the division to review records or documents, or contact agency personnel or residents, related to the trauma-informed model and QRTP designation, during the renewal application assessment.

(D) The designation shall be valid for a period not to exceed six (6) years.

(7) Administrative Review.

(A) The agency which is aggrieved by the decision of the division to deny, suspend, or revoke a QRTP designation shall have the right to a hearing on administrative review of the division's decision.

(B) The division shall provide written notice to the agency of its adverse action against the QRTP designation of an agency. The notice shall—

1. Inform the agency of the nature of the decision;

2. State the factual and legal basis for the division's action;

3. State the effective date of the action, if applicable; and

4. Notify the agency of its right to seek administrative review.

(C) To request a hearing the agency shall submit a written request for administrative review within thirty (30) calendar days of the decision of the division. The request for administrative review shall set forth the basis of the agency's objection to the division's decision.

(D) If the agency requests a hearing the division shall hold an administrative hearing. The hearing shall be held by the director or the director's designee.

(E) The determination of the director or the director's designee shall be the final agency decision.

*AUTHORITY: sections 207.020 and 210.535, RSMo 2016. Emergency rule filed Nov. 18, 2021, effective Dec. 6, 2021, expires June 3, 2022. A proposed rule covering this same material is published in this issue of the **Missouri Register**.*

PUBLIC COST: This emergency rule will cost state agencies or political subdivisions four million five hundred fifty-nine thousand eight hundred ninety-nine dollars (\$4,559,899) in the time the emergency rule is effective.

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

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** 13 Social Services
Division Title: 35 Children's Division
Chapter Title: 71 Licensing Rules for Residential Treatment Agencies for Children and Youth

Rule Number and Name:	13 CSR 35-71.150 Designation Rules for Qualified Residential Treatment Programs
Type of Rulemaking:	Emergency

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
DSS	\$4,559,899; \$1,585,497 GR, \$2,974,402 Federal Funds

III. WORKSHEET

Without implementing Qualified Residential Treatment Programs, the state will lose over \$5 million of federal funding, which will require a general revenue pick-up. The cost for the rule is consistent with the Family First supplemental budget request submitted by DSS.

There are four categories of cost.

1. Increased cost for assessments

Assessments per year	1,400
Cost per assessment	\$350
Total	\$490,000

6 month assessment cost (for emergency bill) $\$490,000/2 = \$245,000^*$

General Revenue - \$82,418

Federal Funds - \$162,582

***Such amount is not calculated in the total fiscal impact because this cost is already contemplated by related-to and separate regulation concerning Independent Assessments (see Proposed Emergency Reg. 13 CSR 35.060). Amount for assessments is for informational purposes only.**

2. Increased cost for aftercare (Level IV – 618 youth)

Currently half of the children receive 3 months of care

Cost for half at 3 months

Number of Children

309

Rate	\$82.40
3 months	91.25
Total	\$2,323,371

Cost for half at 6 months	
Number of Children	309
Rate	\$82.40
6 months	182.5
Total	\$4,646,742
Total After Care Costs	\$6,970,113

6 month cost for After Care $\$6,970,113/2 = \$3,485,057$

General Revenue \$1,172,373

Federal Funds \$2,312,684

3. Increased cost for on-site nursing

# kids	618
Rate	\$8.16
days in a year	365
Total	\$1,840,651

6 month cost for on-site nursing $\$1,840,651/2 = \$920,326$

General Revenue \$309,598

Federal Funds \$610,728

4. Increased per diem rate for youth in residential treatment

# kids	618
Rate	\$1.37
days in a year	365
Total	\$309,031

6 month cost for per diem increase $\$309,031/2 = \$154,515.50$

General Revenue \$103,526

Federal Funds \$50,990

**Total cost : $(\$245,000 - \$245,000) + \$3,485,057 + \$920,326 + \$154,515.50 =$
\$4,559,899**

IV. ASSUMPTIONS

For the application review, DSS assumes that the licensed residential care facilities seeking this designation shall be in compliance with licensure requirements under 13 CSR 35-71.

For the per diem increase, DSS assumes that the licensed residential care facilities seeking this designation will be accredited and in compliance with licensure requirements detailed in 13 CSR 35-71.

Cost estimates are based on a fiscal analysis specific to a 32 bed accredited, licensed facility implementing QRTP outlined in the analysis conducted by PCG.

These changes will impact 618 youth in level IV care.

Please note that the cost for assessments of \$245,000 is already calculated as a cost in proposed emergency regulation 13 CSR 35.060. Such assessments are completed prior to placement in a QRTP and are presented in this fiscal note for informational purposes.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** 13 Social Services
Division Title: 35-Children's Division
Chapter Title: 71 Licensing Rules for Residential Treatment Agencies for Children and Youth

Rule Number and Title:	13 CSR 35-71.150 Designation Rules for Qualified Residential Treatment Programs
Type of Rulemaking:	Emergency

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
5	Licensed Residential Treatment Programs	\$0

III. WORKSHEET

DSS contracted with Public Consulting Group for the purposes of conducting a fiscal analysis related to QRTP implementation.

There will be cost to the facilities to achieve accreditation. The cost is based on the Public Consulting Group cost outlined for CARF accreditation and includes an application fee, surveyor fee and licensing for standards manual and survey preparation books.

This cost is not mandatory, but is required if a facility wishes to achieve QRTP designation.

IV. ASSUMPTIONS

Facilities would bear the cost of accreditation before they could participate in increased per diem rates.

The increased reimbursement rate received could offset the accreditation cost.

The participation and the cost are voluntary.

PCG estimated that the cost of achieving accreditation would total \$13,364 for participating residential treatment facilities.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

EXECUTIVE ORDER

21-13

WHEREAS, a supply chain is the end-to-end process of creating and delivering goods and services to a consumer, often involving intercontinental and interstate transportation of goods; and

WHEREAS, global pandemic recovery, increased consumer demand, and worker shortages are among a few recent conditions that have contributed to historic supply chain shortages across the state, country, and world, resulting in significantly inflated costs and delays; and

WHEREAS, a supply chain consists of a multitude of various modes of transportation, businesses, and industries, all simultaneously working together to meet the demands of a community; and

WHEREAS, every citizen, business, and organization relies on the efficient transportation and delivery of goods and services; and

WHEREAS, Missouri is uniquely positioned to serve as a major logistics hub for the country given its central geographic location, major interstate highways, and prominent waterway systems; and

WHEREAS, the State of Missouri has been working to strengthen the state's transportation infrastructure, including the Missouri Department of Transportation's recent efforts to develop the 2021 Missouri State Freight and Rail Plan and the passage of Senate Bill 262; and

WHEREAS, mitigating supply chain delays in Missouri necessitates collaboration across industries, stakeholders, state agencies, and surrounding states.

NOW, THEREFORE I, MICHAEL PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby create and establish the Missouri Supply Chain Task Force.

The purpose of the Task Force is to identify specific supply chain issues facing Missouri businesses and citizens, and develop recommended solutions for implementation by public and private sectors within Missouri to address those challenges.

The Task Force shall consist of the following members, as appointed by the Governor:

1. The Director of the Missouri Department of Transportation or their designee;
2. The Director of the Office of Workforce Development within the Missouri Department of Higher Education and Workforce Development or their designee;
3. A logistics provider;
4. A modal operator;
5. A large freight generating/receiving business;
6. A representative from a workforce development board; and
7. A member of one of Missouri's regional councils for supply chain management.

The Task Force shall be co-chaired by the Director of the Missouri Department of Transportation and the Director of the Office of Workforce Development or their designees.

The Task Force is charged with convening stakeholders to identify potential improvements and solutions to supply chain issues occurring in Missouri. Stakeholders shall include, but not be limited to, airports, ports, an association representing the trucking industry, agricultural organizations, chambers of commerce, local workforce development boards, advanced manufacturers, commercial developers involved in distribution centers and warehousing, logistics providers, modal operators, large freight generating/receiving businesses, labor organizations, metropolitan planning organizations, and state and local officials, including relevant state agencies.

Rail, freight, air, and marine modes of transportation shall be considered. The Task Force is also charged with engaging surrounding states in this work to maximize interstate coordination.

Any recommendations requiring legislative changes should be expedited by the group ahead of the conclusion of the Task Force's work.

The Missouri Department of Transportation and the Missouri Department of Higher Education and Workforce Development shall provide staff support for the Task Force.

Members of the Task Force shall not receive compensation for their duties as members of the Task Force, but may be reimbursed for necessary expenses associated with performing their duties, subject to the availability of funds.

The Task Force shall dissolve and this order will terminate as of June 30, 2022 unless reauthorized by subsequent Executive Order.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22nd day of November, 2021.

A handwritten signature in black ink, reading "Michael L. Parson", written over a horizontal line.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

A handwritten signature in black ink, reading "John R. Ashcroft", written over a horizontal line.

JOHN R. ASHCROFT
SECRETARY OF STATE

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

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

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 and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 11—DEPARTMENT OF PUBLIC SAFETY

Division 30—Office of the Director

Chapter 7—Driver and Vehicle Equipment Regulations

PROPOSED AMENDMENT

11 CSR 30-7.020 Alternate Equipment Regulations for Animal-Drawn Vehicles. The director is amending section (2).

PURPOSE: This amendment eliminates an alternative slow-moving equipment emblem on an animal-drawn vehicle, and provides additional specificity as to the location of the emblem.

(2) *[In lieu of the yellow-orange triangle with reflective red strips required by subsection 2 of section 307.127, RSMo an operator of an animal-drawn vehicle may substitute a basedown equilateral triangle of white or light gray film or equivalent quality paint with a base of not less than fourteen inches (14") and an altitude of not less than twelve inches*

(12"). Such triangle shall be bordered with reflective white strips having a minimum width of one and three-fourths inches (1 3/4"), with the vertices of the overall triangle truncated such that the remaining altitude shall be a minimum of fourteen inches (14"). Such emblem shall be mounted on the rear of such vehicle near the horizontal geometric center of the rearmost vehicle at a height of not less than four feet (4') above the roadway, and shall be maintained in a clean, reflective condition.] An operator of an animal-drawn vehicle shall display an equilateral triangle that complies with subsection 2 of section 307.127, RSMo. Such emblem shall be placed no less than six inches (6") below the highest point on the rear of the vehicle. The reflective material shall be visible from a distance of not less than five hundred feet (500') to the rear when illuminated by the lower beams of vehicle headlights.

AUTHORITY: section [307.030] 307.127, RSMo [2000] 2016. Original rule filed Dec. 15, 2004, effective June 30, 2005. Amended: Filed Nov. 18, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Office of the Director, Attn: Judy Murray, Administrative Rules Coordinator, PO Box 749, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES

Division 35—Children's Division

Chapter 71—Licensing Rules for Residential Treatment Agencies for Children and Youth

PROPOSED RULE

13 CSR 35-71.150 Designation Rules for Qualified Residential Treatment Programs

PURPOSE: This rule sets forth the requirements for the designation of a Qualified Residential Treatment Program (QRTTP).

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) A qualified residential treatment program (QRTTP) means a program that has met all program requirements for designation as a QRTTP, as determined herein.

(2) To qualify for designation as a QRTTP, the agency shall meet the requirements set forth below. The designation shall not be considered a license issued by the Department of Social Services, Children's Division.

(3) Designation Requirements.

(A) The agency shall be a residential treatment agency licensed by Children's Division at the specialized standards for residential treatment or intensive residential treatment level in accordance with 13 CSR 35-71.

(B) The agency shall be accredited by any of the following independent, not-for-profit organizations:

1. The Commission on Accreditation of Rehabilitation Facilities (CARF);

2. The Joint Commission (JCO); or

3. The Council on Accreditation (COA).

(C) The agency shall have a trauma-informed treatment model designed to address the needs of children in the program.

(D) The agency shall be equipped to meet the clinical needs, as appropriate, of children with serious emotional or behavioral disorders or disturbances, as appropriate for the agency's residential treatment license.

(E) The agency shall be equipped to implement the treatment identified as necessary for the children in the program.

(F) The agency shall acquire the services of registered or licensed nursing staff who—

1. Provide care within the scope of their practice as defined by law;

2. Are available twenty-four (24) hours a day and seven (7) days a week; and

3. Are on-site according to the minimum standards set forth in 13 CSR 35-71.

(G) The agency shall acquire the services of licensed clinical staff to fulfill the clinical needs of children in the program.

(H) The agency shall designate lead personnel (one (1) or more individuals) involved in the implementation of the trauma-informed practices.

(I) The agency shall create a family engagement plan to explain how the requirements below will be met for each child—

1. To the extent appropriate, and in accordance with the child's treatment plan, agencies shall facilitate the participation of family members in the child's treatment program by—

A. Facilitating outreach to the family members of the child, including siblings. The agency shall maintain documentation demonstrating how the outreach is made (including contact information), and shall maintain contact information for any known biological family and fictive kin of the child;

B. Documenting how family members are integrated into the treatment process for the child, including post-discharge, and how sibling connections are maintained; and

C. Providing discharge planning and family-based aftercare support for at least six (6) months post-discharge. This service may be performed by the agency or a subcontractor of the agency. Any subcontracting agreements shall be in writing and provided to the division upon request.

(J) The agency shall create and follow a family engagement plan, as described in this section, for each child.

(4) Application.

(A) The agency shall submit written documentation to the division or the division's designee to demonstrate the minimum qualifications identified in section (3) of this regulation utilizing the *Qualified Residential Treatment Provider Designation* form (RPU-35), which is incorporated by reference and made part of this rule as published by the Department of Social Services at their website at <https://dss.mo.gov/cd/info/forms/pdf/rpu35.pdf>, November 10, 2021. This rule does not incorporate any subsequent amendments or additions.

(B) The division or designee may conduct site visits, a review of records, and interviews with staff and residents to assess the application materials and qualifications of the agency in meeting the requirements herein.

(C) Upon receipt of all documents and information set forth here-

in, the division shall review and determine if all QRTP designation requirements are met.

(D) The division may request further supporting documentation or information to demonstrate the minimum qualifications herein.

(E) The division shall issue a written finding to either approve or deny the agency's application for QRTP designation within forty-five (45) days of receipt of the agency's complete application.

(F) In the event that the division denies the agency's application for QRTP designation, the agency shall have the right to administrative review as stated in section (7) of this regulation. The denial shall be in writing and shall provide the factual basis for the decision.

(5) Designation.

(A) The QRTP designation shall be valid for a period not to exceed six (6) years and shall be subject to periodic announced and unannounced monitoring, as determined by the division.

(B) The agency shall participate in all requests by the division to review records or documents, or contact agency personnel or residents, related to the trauma-informed model and QRTP designation.

(C) The agency shall provide written notice to the division within five (5) calendar days identifying a personnel change of the lead personnel of the trauma-informed practices and shall name a new individual to lead trauma-informed practices within thirty (30) calendar days of the change.

(D) The division shall have the authority to suspend, revoke, or deny the QRTP designation in the event the division determines the agency does not meet the requirements of 13 CSR 35-71.

(E) In the event of non-compliance with the requirements of 13 CSR 35-71, the division may suspend or revoke the QRTP designation. In the notice of suspension or revocation, the division shall—

1. Include the factual basis for the suspension or revocation;

2. In the event of a suspension, issue an immediate corrective action plan to mitigate the conditions related to the suspension; and

3. Notify the agency of the right to administrative review pursuant to 13 CSR 35-71.150(7).

(F) The agency may rescind the suspension on its own decision in the event that the division determines—

1. The agency has successfully implemented the corrective action plan requested by the division to remedy the concerns that resulted in the suspensions of the designation; and

2. The agency meets all criteria set forth in 13 CSR 35-71.150.

(G) The failure to correct areas of non-compliance as identified in any request for corrective action shall be grounds for designation revocation.

(H) In the event that an agency's QRTP designation has been suspended, the agency shall have a maximum of three (3) months to correct the areas of non-compliance which led to the suspension action by the division. If the areas of non-compliance are not corrected after three (3) months, as determined by the division, or within any timeframes set by the division, the division shall have the right to revoke the designation.

(I) In the event that an agency's QRTP designation has been revoked, the agency shall wait a period of not less than six (6) months prior to submitting the designation application again.

(6) Designation Renewal.

(A) The agency shall submit updated application materials as outlined in section (4) of this rule at least three (3) months prior but not more than six (6) months prior to the expiration date of the designation for designation renewal.

(B) The division shall issue a written finding to either approve or deny the agency's renewal for QRTP designation within forty-five (45) days of receipt of the agency's complete renewal application.

(C) The agency shall participate in all requests by the division to review records or documents, or contact agency personnel or residents, related to the trauma-informed model and QRTP designation, during the renewal application assessment.

(D) The designation shall be valid for a period not to exceed six

(6) years.

(7) Administrative Review.

(A) The agency which is aggrieved by the decision of the division to deny, suspend, or revoke a QRTP designation shall have the right to a hearing on administrative review of the division's decision.

(B) The division shall provide written notice to the agency of its adverse action against the QRTP designation of an agency. The notice shall—

1. Inform the agency of the nature of the decision;
2. State the factual and legal basis for the division's action;
3. State the effective date of the action, if applicable; and
4. Notify the agency of its right to seek administrative review.

(C) To request a hearing, the agency shall submit a written request for administrative review within thirty (30) calendar days of the decision of the division. The request for administrative review shall set forth the basis of the agency's objection to the division's decision.

(D) If the agency requests a hearing, the division shall hold an administrative hearing. The hearing shall be held by the director or the director's designee.

(E) The determination of the director or the director's designee shall be the final agency decision.

AUTHORITY: sections 207.020 and 210.535, RSMo 2016. Emergency rule filed Nov. 18, 2021, effective Dec. 6, 2021, expires June 3, 2022. Original rule filed Nov. 18, 2021.

PUBLIC COST: The proposed rule will cost state agencies or political subdivisions nine million one hundred nineteen thousand seven hundred ninety-five dollars (\$9,119,795) in the aggregate.

PRIVATE COST: The proposed rule 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 rule with the Missouri Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** 13 Social Services
Division Title: 35 Children's Division
Chapter Title: 71 Licensing Rules for Residential Treatment Agencies for Children and Youth

Rule Number and Name:	13 CSR 35-71.150 Designation Rules for Qualified Residential Treatment Programs
Type of Rulemaking:	Proposed

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
DSS	\$9,119,795 total; \$3,170,992 General Revenue (GR), \$5,948,803 Federal Funds

III. WORKSHEET

Without implementing Qualified Residential Treatment Programs, the state will lose over \$5 million of federal funding, which will require a general revenue pick-up. The cost for the rule is consistent with the Family First Supplemental budget request submitted by DSS.

There are four categories of cost.

1. Increased cost for assessments

Assessments per year	1,400
Cost per assessment	\$350
Total	\$490,000*
GR	\$164,836
Fed Funds	\$325,164

***Such amount is not calculated in the total fiscal impact because this cost is already contemplated by related-to and separate regulation concerning Independent Assessments (see Proposed Reg. 13 CSR 35.060). Amount for assessments is for informational purposes only.**

2. Increased cost for aftercare (Level IV – 618 youth)

Currently half of the children receive 3 months of care	
Cost for half at 3 months	
Number of Children	309
Rate	\$82.40
3 months	91.25
Total	\$2,323,371

Cost for half at 6 months		
Number of Children	309	
Rate	\$82.40	
6 months	182.5	
	Total	\$4,646,742
Total After Care Costs		\$6,970,113
	GR	\$2,344,746
	Fed Funds	\$4,625,367

3. Increased cost for on-site nursing

# kids	618	
Rate	\$8.16	
days in a year	365	
Total		\$1,840,651
	GR	\$619,195
	Fed Funds	\$1,221,456

4. Increased per diem rate for youth in residential treatment

# kids	618	
Rate	\$1.37	
days in a year	365	
Total		\$309,031
	GR	\$207,051
	Fed Funds	\$101,980

Total cost : (\$490,000 - \$490,000) + \$6,970,113 + \$1,840,651 + \$309,031 = \$9,119,795

IV. ASSUMPTIONS

For the application review, DSS assumes that the licensed residential care facilities seeking this designation shall be in compliance with licensure requirements under 13 CSR 35-71.

For the per diem increase, DSS assumes that the licensed residential care facilities seeking this designation will be accredited and in compliance with licensure requirements detailed in 13 CSR 35-71.

Cost estimates are based on a fiscal analysis specific to a 32 bed accredited, licensed facility implementing QRTP outlined in the analysis conducted by PCG.

These changes will impact 618 youth in level IV care.

Please note that the cost for assessments of \$490,000.00 is already calculated as a cost in proposed regulation 13 CSR 35.060. Such assessments are completed prior to placement in a QRTP and are presented in this fiscal note for informational purposes.

The number of youth served and QRTP applications approved assumes that CMS will approve a Section 1115s exemption. Residential care facilities that may otherwise be classified as an Institution for Mental Disease (“IMD”), as defined by Section 1905(i) of the Social Security Act, could be disqualified from becoming QRTP facilities. If the 1115s exemption is approved, it would allow these IMD facilities to serve as QRTP facilities. The application for this exemption is in the process of being submitted.

FISCAL NOTE PRIVATE COST

- I. Department Title:** 13 Social Services
Division Title: 35 Children's Division
Chapter Title: 71 Licensing Rules for Residential Treatment Agencies for Children and Youth

Rule Number and Name:	13 CSR 35-71.150 Designation Rules for Qualified Residential Treatment Programs
Type of Rulemaking:	Proposed

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
10	Licensed Residential Treatment Programs	\$0

III. WORKSHEET

DSS contracted with Public Consulting Group for the purposes of conducting a fiscal analysis related to QRTP implementation.

There will be cost to the facilities to achieve accreditation. The cost is based on the Public Consulting Group cost outlined for CARF accreditation and includes an application fee, surveyor fee and licensing for standards manual and survey preparation books.

This cost is not mandatory, but is required if a facility wishes to achieve QRTP designation.

IV. ASSUMPTIONS

Facilities would bear the cost of accreditation before they could participate in increased per diem rates.

The increased reimbursement rate received could offset the accreditation cost.

The participation and the cost are voluntary.

PCG estimated that the cost of achieving accreditation would total \$13,364 for participating residential treatment facilities.

The number of youth served and QRTP applications approved assumes that CMS will approve a Section 1115s exemption. Residential care facilities that may otherwise be

classified as an Institution for Mental Disease (“IMD”), as defined by Section 1905(i) of the Social Security Act, could be disqualified from becoming QRTP facilities. If the 1115s exemption is approved, it would allow these IMD facilities to serve as QRTP facilities. The application for this exemption is in the process of being submitted.

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

PROPOSED AMENDMENT

13 CSR 70-3.230 Payment Policy for Provider Preventable Conditions. The department is amending section (2) of the rule.

PURPOSE: This amendment updates the list of Medicare Hospital Acquired Conditions which are incorporated by reference.

(2) Payment to hospitals or ambulatory surgical centers enrolled as MO HealthNet providers for care related only to the treatment of the consequences of a HCAC will be denied or recovered by the MO HealthNet Division when the HCAC is determined to have occurred during an inpatient hospital stay and would otherwise result in an increase in payment. HCAC conditions are identified in the list of Medicare Hospital Acquired Conditions, which *[are]* **is incorporated by reference and made part of this rule** as published by The Centers for Medicare & Medicaid Services (CMS) at their website at https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/HospitalAcqCond/icd10_hacs.html, *[September 8, 2020. A copy of the list of Medicare Hospital Acquired Conditions from September 8, 2020, is incorporated by reference and made a part of this rule, as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Ct, Jefferson City, MO 65109, at its website at https://dssruletracker.mo.gov/dss-proposed-rules/welcome.action]* **August 11, 2021.** This rule does not incorporate any subsequent amendments or additions published by CMS after *[September 8, 2020]* **August 11, 2021.**

AUTHORITY: sections 208.153, 208.201, and 660.017, RSMo 2016. Material in this rule originally filed as 13 CSR 70-15.200. Original rule filed Nov. 30, 2011, effective June 30, 2012. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 22, 2021.

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

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

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

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

PROPOSED RULE

13 CSR 70-3.330 Telemedicine Services

PURPOSE: The purpose of this rule is to establish the division's guidelines regarding coverage and reimbursement for telemedicine services. The goal of this policy is to allow greater access to care for

MO HealthNet participants.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Administration.

(A) The telemedicine program shall be administered by the MO HealthNet Division (MHD). This rule is established pursuant to the authority granted to the Missouri Department of Social Services, MO HealthNet Division, to promulgate rules governing the practice of telemedicine in the MO HealthNet Program and to provide services under established, approved MO HealthNet benefits.

(B) Definitions.

1. Asynchronous store-and-forward shall mean the transfer of a participant's clinically important digital samples, such as still images, videos, audio, text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the participant and the participant's treating provider.

A. Asynchronous store-and-forward technology shall mean cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time.

B. Asynchronous store-and-forward transfer shall mean the collection of a participant's relevant health information and the subsequent transmission of that information from an originating site to a provider at a distant site without the participant being present.

2. Distant site shall mean a telemedicine site where the health care provider providing the telemedicine service is physically located.

3. Originating site shall mean a telemedicine site where the MO HealthNet participant receives the telemedicine service. Originating sites include, but are not necessarily limited to health care provider facilities, participants' homes, and schools. For the purposes of asynchronous store-and-forward transfer, the originating site shall also mean the location from which the referring provider transfers information to the distant site.

4. Licensed health care provider-patient relationship shall mean that a health care provider licensed under Chapter 334, RSMo, and/or other providers utilizing telemedicine, shall ensure that a properly established provider-patient relationship exists with the participant who receives telemedicine services.

5. Telemedicine shall mean the delivery of health care services by means of information and communication technologies that facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a participant's health care while such participant is at the originating site and the provider is at the distant site. Telemedicine shall also include the use of telephonic or asynchronous store-and-forward technology. Telemedicine services must be performed with the same standard of care as an in-person, face-to-face service.

6. Health care professional shall mean a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services consistent with state law.

7. Health care provider or provider shall mean a health care professional or a health care facility.

8. Health care service shall mean a service for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease, including but not limited to the provision of drugs or durable medical equipment.

(2) Providers.

(A) Any licensed/enrolled health care professional shall be authorized to provide telemedicine services if such services to MHD participants are within the scope of practice for which the health care provider is licensed and are provided with the same standard of care as services provided in person. This shall not prohibit a health care entity from reimbursing nonclinical staff for services otherwise allowed by law. This includes applied behavior analysis services rendered by a registered behavior technician under the supervision of a licensed behavior analyst or licensed psychologist or any individual provider delivering services within a Department of Mental Health (DMH) licensed, contracted, and/or certified organization.

(B) In order to treat participants in this state through the use of telemedicine, health care providers shall be fully licensed to practice in this state and shall be subject to regulation by their respective professional boards. In addition, psychologists licensed in a Psychology Interjurisdictional Compact (PSYPACT) state may render telemedicine services under the Authority to Practice Interjurisdictional Telepsychology, according to the requirements in the PSYPACT.

(C) A health care provider utilizing telemedicine at either a distant site or an originating site shall be enrolled as a MO HealthNet provider pursuant to 13 CSR 65-2.020 and be fully licensed for practice in the state of Missouri. A health care provider utilizing telemedicine must do so in a manner that is consistent with the provisions of all laws governing the practice of the provider's profession and shall be held to the same standard of care as a provider employing in-person behavioral health or medical health care.

(D) For purposes of the provision of telemedicine services in the MO HealthNet Program, the provider-patient relationship may be established by the following:

1. An in-person encounter through a medical interview and physical examination;
2. Consultation with another health care professional, or that health care professional's delegate, who has an established relationship with the patient and an agreement with the health care professional to participate in the patient's care; or
3. A telemedicine encounter, if the standard of care does not require an in-person encounter, and in accordance with evidence-based standards of practice and telemedicine practice guidelines that address the clinical and technological aspects of telemedicine.

(E) In order to establish a provider-patient relationship through telemedicine—

1. The technology utilized shall be sufficient to establish an informed diagnosis as though the medical interview and physical examination had been performed in person; and
2. Prior to providing treatment, including issuing prescriptions and physician certifications under Article XIV of the *Missouri Constitution*, a physician who uses telemedicine shall interview the patient, collect or review relevant medical history, and perform an examination sufficient for diagnosis and treatment of the patient. A questionnaire completed by the patient, whether via the telephone or internet, does not constitute a medical interview and examination for provision of treatment via telemedicine.

(F) A provider agrees to conform to MO HealthNet program policies and instructions as specified in the provider manuals, which are 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 <http://manuals.momed.com/manuals/>, November 10, 2021. This rule does not incorporate any subsequent amendments or additions.

(3) Covered Services.

(A) A telemedicine service shall be covered only if it is medically necessary.

(B) A telemedicine service must be performed with the same standard of care as an in-person, face-to-face service. If the same standard of care cannot be met, a telemedicine service shall not be pro-

vided.

(4) Prior Authorization and Utilization Review.

(A) Utilization Review. All services are subject to utilization review for medical necessity and program compliance. Reviews can be performed before services are furnished, before payment is made, or after payment is made. The standards and processes for utilization review for telemedicine services shall be the same as those for services not provided through telemedicine.

(B) Prior Authorization. Certain procedures or services can require prior authorization from the MO HealthNet Division or its authorized agents. Services for which prior authorization shall be obtained remain subject to utilization review at any point in the payment process. A service provided through telemedicine is subject to the same prior authorization and utilization review requirements, standards, and processes that exist for the service when not provided through telemedicine.

(C) Eligibility Determination. Prior authorization of services does not guarantee an individual is eligible for a MO HealthNet service. Providers must verify that an individual is eligible for a specific program at the time services are furnished and must determine if the participant has other health insurance.

(D) School Services. Prior to the provision of telemedicine services in a school, the parent or guardian of the child shall provide authorization for the provision of such service. Such authorization shall include the ability for a parent or guardian to authorize services via telemedicine in the school for the remainder of the school year.

(5) Reimbursement.

(A) Reimbursement to the health care provider delivering the telemedicine service at the distant site shall be made at the same amount as the current fee schedule for an in-person service.

(B) The originating site is eligible to receive an originating site/facility fee.

(C) Reimbursement of the originating site fee will be made according to the MO HealthNet Fee Schedule.

(6) Documentation for the Telemedicine Encounter.

(A) Patient records at the distant and originating sites (if a referral is given at the originating site) are to document the telemedicine encounter consistent with the service documentation described in MO HealthNet provider manuals and bulletins.

(B) A health care provider shall keep a complete medical record of a telemedicine service, provided to a participant, including asynchronous store-and-forward images and follow applicable state and federal statutes and regulations for medical record keeping and confidentiality in accordance with 13 CSR 70-3.030.

(C) Records shall be maintained per standards established by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and in accordance with 13 CSR 70-3.030.

(7) Confidentiality and Data Integrity.

(A) All telemedicine activities must comply with the requirements of HIPAA.

(B) A provider of a telemedicine service shall implement confidentiality protocols, which shall be available for inspection by the department upon request.

(C) Participant privacy and confidentiality must be maintained at all times while receiving all telemedicine services.

AUTHORITY: sections 208.153, 208.201, and 660.017, RSMo 2016, and section 208.670, RSMo Supp. 2021. Original rule filed Nov. 22, 2021.

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

PRIVATE COST: This proposed rule 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 rule with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 1—Organization and Description of Board**

PROPOSED AMENDMENT

19 CSR 73-1.010 General Organization. The department is amending sections (3) through (6).

PURPOSE: This amendment adds the two (2) other licensure levels outlined in 19 CSR 73-2.022 and 19 CSR 73-2.023, replaces executive secretary with board office, and updates language.

(3) The board is further charged with maintaining high standards of professional competence and ethical conduct among licensed administrators, as defined in 19 CSR 73-2.020, **19 CSR 73-2.022, and 19 CSR 73-2.023.**

(4) The board has authority to discipline licensees either through the Administrative Hearing Commission and/or enter into [probationary] settlement agreements as specifically set out in [19 CSR 73-2] **Chapter 344, RSMo.**

(5) The board [shall] will meet as necessary to attend to the matters before the board. [Public notice shall be given by the executive secretary before the date of the meeting. The time and location for each meeting may be obtained by contacting the executive secretary of] **All meetings will be posted according to section 610.020, RSMo, and information may be obtained by contacting the board at [the following website:] <http://www.health.mo.gov/information/boards/bnha> or by telephone at (573) 751-3511.**

(6) The public may obtain information or make submissions or requests by writing the [executive secretary of the] board office.

AUTHORITY: section 344.070, RSMo [Supp. 2010] **2016.** This rule was previously filed as 13 CSR 73-1.010. Original rule filed Sept. 10, 1976, effective Dec. 11, 1976. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 23, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Sally McKee, Missouri Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-4314, or via email at Sally.McKee@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR
SERVICES**

**Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

PROPOSED AMENDMENT

19 CSR 73-2.015 Fees. The department is amending section (1).

PURPOSE: This amendment removes the duplicate license fee.

(1) The following fees are required by the Board of Nursing Home Administrators:

[(G)] Duplicate License Fee	\$ 10]
[(H)](G) Single Offering Fee	
(per requested clock hour)	\$15
[(I)](H) Single Offering Late Filing Fee	\$50
[(J)](I) Insufficient Funds Charge	\$25

AUTHORITY: section 344.070, RSMo [Supp. 2010] **2016.** This rule was previously filed as 13 CSR 73-2.015. Original rule filed Jan. 3, 1992, effective May 14, 1992. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 23, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Sally McKee, Missouri Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-4314, or via email at Sally.McKee@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR
SERVICES**

**Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

PROPOSED AMENDMENT

19 CSR 73-2.055 Renewal of Expired License. The department is amending sections (2), (3), and (6).

PURPOSE: This amendment provides updated language and adds the licensure types 19 CSR 73-2.022, 19 CSR 73-2.023, and 19 CSR 73-2.025.

(2) The licensee must complete [and forward to the board office] **and file** a license renewal application referenced in 19 CSR 73-2.050, along with a renewal fee referenced in 19 CSR 73-2.015 for a two- (2-)/- year license, plus the penalty fee. Satisfactory evidence of board-approved continuing education (as outlined in 19 CSR 73-2.050) must also be submitted with the license renewal application. Information provided in the application [shall] **must** be attested to by signature to be true and correct to the best of the applicant's knowledge and belief and include an attestation verifying that the licensee has completed the required number of board-approved continuing education clock hours obtained during the current licensure period.

(3) The licensee *[shall]* **must** also supply the board with a statement indicating employment status from the point the license expired through the filing of the application for late renewal. The licensee *[shall]* **must** include in the statement written reasons why the license was not renewed prior to the expiration date of June 30.

(6) A person whose license has expired for a period of more than twelve (12) months must meet the requirements set out in 19 CSR 73-2.020, **19 CSR 73-2.022**, **19 CSR 73-2.023**, or **19 CSR 73-2.025** for *[initial]* licensure.

AUTHORITY: sections 344.040 and 344.070, RSMo [Supp. 2010] 2016. This rule was previously filed as 13 CSR 73-2.055. Original rule filed June 28, 1990, effective Dec. 31, 1990. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 23, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Sally McKee, Missouri Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-4314, or via email at Sally.McKee@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 73—Missouri Board of Nursing Home Administrators Chapter 2—General Rules

PROPOSED AMENDMENT

19 CSR 73-2.085 Public Complaints. The department is amending sections (1) and (2).

PURPOSE: This amendment provides updated language by removing State.

(1) The *[State]* Board of Nursing Home Administrators *[shall receive and process]* **receives and processes** each complaint made against any licensed administrator, or other person or entity, which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 344, RSMo. Any member of the public or the profession, or any federal, state, or local official, may make and file a complaint with the board. Complaints received from sources outside Missouri will be processed in the same manner as those originating within Missouri. No voting members of the *[State]* Board of Nursing Home Administrators *[shall]* **will** file a complaint with this board while s/he holds that office, unless that member excuses him/herself from further board deliberations or activity concerning the matters alleged within that complaint. Any staff member or employee of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Written complaints should be sent to the following: *[State]* Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102 or email at bnha@health.mo.gov. However, actual receipt of the complaint by the board at its administrative offices in any manner shall be sufficient. Complaints may be based upon personal

knowledge, or upon information and belief, reciting information received from other sources.

AUTHORITY: section 344.070, RSMo [Supp. 2010] 2016. This rule was previously filed as 13 CSR 73-2.085. Original rule filed Oct. 4, 1988, effective March 15, 1989. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 23, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Sally McKee, Missouri Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-4314, or via email at Sally.McKee@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 73—Missouri Board of Nursing Home Administrators Chapter 2—General Rules

PROPOSED AMENDMENT

19 CSR 73-2.110 Display of License. The department is amending section (1).

PURPOSE: This amendment includes the new licensure level of the residential care and assisted living administrator, pursuant to 19 CSR 73-2.022.

(1) Every person licensed as a nursing home administrator *[shall]* **or residential care and assisted living administrator must** display the license in a conspicuous place in the office or place of business of employment of that license. Affixed to the license *[shall]* **will** be verification from the board of current renewal.

AUTHORITY: section 344.070, RSMo [Supp. 1993] 2016. This rule was previously filed as 13 CSR 73-2.110. Original rule filed May 13, 1980, effective Aug. 11, 1980. Amended: Filed Oct. 16, 1985, effective March 14, 1986. Moved to 19 CSR 73-2.110, effective March 3, 2003. Amended: Filed Nov. 23, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Sally McKee, Missouri Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-4314, or via email at Sally.McKee@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR
SERVICES
Division 73—Missouri Board of Nursing Home
Administrators
Chapter 2—General Rules**

PROPOSED AMENDMENT

19 CSR 73-2.120 Duplicate License. The department is amending section (1).

PURPOSE: This amendment removes the fee and the affidavit requirement.

(1) *[In the event a license is lost or stolen, mutilated, or destroyed, the administrator is required to report the loss immediately to the board office. Upon receipt of satisfactory evidence license has been lost, mutilated, or destroyed, the board may issue a duplicate license upon payment of the fee referenced in 19 CSR 73-2.015. Satisfactory evidence is construed to be a notarized affidavit stating facts of the loss, mutilation, or destruction of the license] If an administrator requires a duplicate license, the administrator must submit a written request for a duplicate license to the board office, along with a written explanation as to why the original license is no longer available.*

AUTHORITY: section 344.070, RSMo [Supp. 2010] 2016. This rule was previously filed as 13 CSR 73-2.120. Original rule filed May 13, 1980, effective Aug. 11, 1980. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 23, 2021.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Sally McKee, Missouri Board of Nursing Home Administrators, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-4314, or via email at Sally.McKee@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

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

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

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 1—Organization of the Department**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092 and 536.023(3), RSMo 2016, the board amends a rule as follows:

5 CSR 10-1.010 General Department Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 2, 2021 (46 MoReg 1450-1451). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 3—Public Records**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092, 610.010–610.020, and 610.022–610.030, RSMo

2016, and section 610.021, RSMo Supp. 2021, the board adopts a rule as follows:

5 CSR 10-3.010 Access to Public Records and Fees for Copying of Public Records is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 2, 2021 (46 MoReg 1451). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 100—Office of Quality Schools**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092, 182.825, and 182.827, RSMo 2016, the board amends a rule as follows:

5 CSR 20-100.220, Internet Filtering is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 2, 2021 (46 MoReg 1451-1452). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 20—Clean Water Commission
Chapter 7—Water Quality**

ORDER OF RULEMAKING

By the authority vested in the Clean Water Commission under sections 536.023(3) and 644.026, RSMo 2016, the commission amends a rule as follows:

10 CSR 20-7.031 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2021 (46 MoReg 1153-1287). Changes to the text of the proposed amendment as a result of comments include removing the deletion of text at (5)(C) and removing the deletion of drinking water supply use from two (2) lakes. No other changes have been made from the text contained in the proposed amendment. The amendment becomes effective February 28, 2022, after publication in the January 29, 2022, *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held August 25, 2021, and the public comment period ended August 31, 2021. At the public hearing staff from the Department's Water Protection Program, Water Pollution Control Branch provided testimony on the proposed amendment and one (1)

comment was made. The department also received two (2) written comments during the public comment period from two (2) individuals and organizations.

PUBLIC HEARING COMMENTS:

PUBLIC HEARING COMMENT #1: Marisa Frazier, Sierra Club, expressed disappointment at the department's decision not to promulgate the national recommended Aquatic Life Ambient Water Quality Criteria for Ammonia – Freshwater (2013) (i.e., the 2013 Ammonia Criteria) in this rulemaking.

RESPONSE: The department is evaluating the updated EPA-recommended 304(a) ammonia criteria for potential implementation into our rules, but the process depends heavily on permit implementation, further data and criteria evaluation, and stakeholder discussions. At this time, the department will defer the 2013 ammonia criteria to a future rulemaking. No changes were made to the proposed amendment as a result of this comment.

SPECIFIC WRITTEN COMMENTS:

SPECIFIC WRITTEN COMMENT #1: City of Blue Springs Site-specific Dissolved Oxygen Criteria. The U.S. Environmental Protection Agency (EPA), Region 7 submitted a comment stating that modeling comments previously submitted by EPA on the proposed Site-Specific Dissolved Oxygen Criteria (SSDOC) for Sni-A-Bar Creek and the City of Blue Springs still need to be addressed and resolved.

RESPONSE: Documented low dissolved-oxygen (DO) conditions in Sni-A-Bar Creek resulted in 303(d) listing of the water body in 2006. A planned expansion of the City of Blue Springs' treatment facility required development of SSDOC that used water quality modeling (QUAL2K) to identify the highest attainable water quality condition in the stream, along with reference stream DO and biological studies to identify the composition of aquatic life supported in the ecoregion. The city and its consultants conducted two (2) forty-eight- (48-) hour wasteload allocation and time-of-travel studies to identify the highest attainable condition for the QUAL2K stream model. Three (3) reference streams were used and approximately eight (8) weeks of continuous DO, temperature, and conductivity data were collected. These data informed the QUAL2K model and resulted in EPA-approved, yet time limited, SSDOC for Sni-A-Bar Creek in 2009.

EPA's time-limited approval included the requirement that the city provide additional information about the aquatic community and demonstrate that the level of sediment oxygen demand (SOD) observed in Sni-A-Bar Creek represents a "naturally occurring condition." The city and its consultants conducted additional continuous DO monitoring from July through October 2013, collected SOD measurements, and conducted habitat assessments, fall macroinvertebrate collection, and summer fish collections. The continuous DO monitoring demonstrated that the site-specific criteria were attained in Sni-A-Bar Creek. Instream monitoring between 2015 and 2018 during summer months further demonstrated that the SSDOC are being achieved. Further, SOD levels were demonstrated to be comparable across reference monitoring sites and Sni-A-Bar Creek, and macroinvertebrate and fish data from fall of 2013 indicate the aquatic life use is being attained. Because the original SSDOC expired in 2014, the city and the department submitted additional EPA-requested data to promulgate the criteria permanently in Missouri's Water Quality Standards (WQS).

EPA provided comments on the QUAL2K model to the department on December 7, 2020, which the department forwarded to the City of Blue Springs and its consultants. EPA's comments on the water quality model go beyond the items EPA previously indicated would be needed to receive approval of the SSDOC for Sni-a-Bar Creek. Water quality models imperfectly approximate real world conditions. The additional chemical and biological data collected confirm the proposed SSDOC and aquatic life use are currently being achieved in Sni-A-Bar Creek. Additionally, SOD has been demonstrated to be

comparable to background and reference conditions and biological and fish studies confirm the aquatic life designated use is being attained. For these reasons, the data and model support the establishment of the proposed SSDOC for Sni-a-Bar Creek and the City of Blue Springs. No changes were made to the proposed amendment as a result of this comment.

SPECIFIC WRITTEN COMMENT #2: Zinc Variance for the City of Joplin Waste Water Treatment Plant (WWTP). EPA reiterated the same comments and concerns provided on September 13, 2019, and emphasized the need to ensure the variance Pollutant Minimization Plan is consistent with the requirements of 40 CFR section 131.13.

RESPONSE: The department reviewed and responded to EPA's September 13, 2019, comments on November 26, 2019. The City of Joplin's draft Zinc Minimization Plan (ZMP) established a December 31, 2023, deadline for finalizing the details of the ZMP and submitting it to the department. Subsequent reports will be submitted to the department as part of the National Pollutant Discharge Elimination System (NPDES) permit renewal process. The department anticipates the final ZMP will be consistent with the requirements of 40 CFR section 131.13 and notes the conditions and requirements of the ZMP will be independent of, and in addition to, the pretreatment program requirements of the City's NPDES permit. No changes were made to the proposed amendment as a result of this comment.

SPECIFIC WRITTEN COMMENT #3: Presumed Use Removals. EPA stated: "The EPA is evaluating the presumed use removals for consistency with the Clean Water Act."

RESPONSE: The Presumed Use Review determinations are consistent with the Clean Water Act and definitions found in 40 CFR section 120.2 for non-jurisdictional waters. We appreciate EPA's review and expedited approval of these determinations. No changes were made to the proposed amendment as a result of this comment.

SPECIFIC WRITTEN COMMENT #4: Bolivar Variance. EPA stated: "On May 25, 2021, the EPA provided the MDNR the following threatened species we found using the USFWS [Information for Planning and Consultation (IPaC)] for Bolivar: Niangua darter (*Etheostoma nianguae*). The MDNR should reevaluate the appropriateness of the variance in the presence of a federally threatened species in the receiving stream."

RESPONSE: The department has considered the information from IPaC and concludes the variance remains appropriate.

On August 31, 2021, the department conducted its own IPaC review for the Piper Creek watershed (HUC 102901070303). The IPaC review indicated the Niangua darter potentially could be in or near the project area, but site-specific water quality and biological data collected by the department do not indicate the presence of Niangua darters at the project area. There is no critical habitat within the project area, although Piper Creek is part of the Pomme de Terre River watershed, which is part of the Niangua darter distribution.

Improving water quality and re-attaining the uses in the water body will be beneficial to all aquatic life, especially threatened species. The variance provides a time-limited opportunity for water quality improvement to occur and is not anticipated to adversely affect the Niangua darter. No changes were made to the proposed amendment as a result of this comment.

SPECIFIC WRITTEN COMMENT #5: Removal of the Drinking Water Supply (DWS) Designated Use for Johnson Lake (water body ID 7444) and Perry City Lake (upper, water body ID 7048). EPA commented that the department needs to compile additional information to support removal of the drinking-water-supply designated use for these lakes.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed EPA's previous decision on this topic and concurs that additional information to support these removals is warranted. As a result of this comment, the department is withdrawing the proposed

removal of the DWS use for these waters and deferring action until a future rulemaking.

SPECIFIC WRITTEN COMMENT #6: Revisions to the Multiple-Discharger Variance Framework. With respect to a revision to Step 3 of Section 7 of the MDV Framework, the EPA states: “EPA is concerned that committing to CAFCom as the only additional tool to prove impact could be problematic for the State in the future.” EPA suggested the use of other options for demonstrating impact, such as the Community Sustainability Tool developed by the Wichita State University Environmental Finance Center.

RESPONSE: The additional verification with the Cost Analysis for Compliance (CAFCom) does not preclude the permit writer from utilizing additional financial tools, including the Community Sustainability Tool, and we appreciate EPA mentioning its availability. The department notes, however, that CAFCom will provide the most up-to-date information for Missouri communities and user rates. No changes were made to the proposed amendment as a result of this comment.

SPECIFIC WRITTEN COMMENT #7: *E. Coli* Protection for Losing Streams. EPA disagrees that the *E. coli* criteria protection afforded to losing streams is not a WQS. EPA believes 126 CFU/100mL is the appropriate value for protecting downstream waters. In addition, Thomas Aley, from the Ozark Underground Laboratory, Inc., expressed concern for the protection of losing streams and supported stronger rules to protect these waters.

RESPONSE AND EXPLANATION OF CHANGE: Missouri’s abundant karst topography and hydrology are unique, and that the protection of sensitive subsurface and downstream surface waters is important. Based on the comments received, the department will withdraw the proposed changes for further evaluation in future rule-making efforts.

GENERAL WRITTEN COMMENTS:

GENERAL WRITTEN COMMENT #1: The EPA submitted several comments on updated federal recommended Section 304(a) criteria not included in the proposed amendment. These criteria include the 2013 ammonia criteria, human health updates, selenium criteria, nutrient criteria for lakes and reservoirs, recreational criteria, acute cadmium criteria, aluminum criteria, WQS for wetlands, and the fish consumption rate.

RESPONSE: The department is in various stages of evaluating several EPA-recommended 304(a) criteria for potential implementation into our rules, but the process depends heavily on permit implementation, further data and criteria evaluation, and stakeholder discussions. The department will defer the 304(a) criteria items to a future rulemaking. No changes were made to the proposed amendment as a result of these comments.

10 CSR 20-7.031 Water Quality Standards

(5) Specific Criteria. The specific criteria shall apply to waters contained in Tables G and H of this rule and the Missouri Use Designation Dataset. Protection of drinking water supply is limited to surface waters designated for raw drinking water supply and aquifers. Protection of whole body contact recreation is limited to waters designated for that use.

(C) Bacteria. The protection of whole body contact recreation is limited to waters designated for that use. The recreational season is from April 1 to October 31. The *E. coli* count shall not exceed the criterion listed in Table A1 as a geometric mean during the recreational season in waters designated for whole body contact recreation. The *E. coli* count shall not exceed one hundred twenty-six (126) per one hundred milliliters (100 mL) at any time in losing streams. For waters designated for secondary contact recreation, the *E. coli* count shall not exceed one thousand one hundred thirty-four

(1,134) per one hundred milliliters (100 mL) as a geometric mean during the recreational season.

Table G-Lake Classifications and Use Designations

NOTE: Fishing, Swimming and livestock watering may not be allowed in some lakes by the local management authorities. The use designations refer only to the protection of water quality for those potential uses.

WATER BODY	CLASS	ACRES	LOCATION	COUNTY(IES)	LWP	WWH	CDH	WBC	SCR	DWS	IND
Adrian Reservoir	L1	45.0	03,41N,31W	Bates	X	X		B	X	X	
Agate Lake	L3	210.7	13,60N,06W	Lewis	X	X		A	X		
Alpine Lake	L3	233.0	13,46N,2W	Warren	X	X		A	X		
Amarugia Lake	L3	39.0	10/11,43N,32W	Cass	X	X		B	X		
Anderson's Whippoorwill Farm Lake	L3	30.0	SW SE 28,28N,11E	Stoddard	X	X		B	X		
Anthones Mill Lake	L3	91.0	SW SW 19,39N,01W	Washington	X	X		B	X		
Antimi Lake	L3	2.0	NE NE 3,48N,12W	Boone	X	X		B	X		
Apollo Lake	L3	15.0	21,36N,05E	St. Francois	X	X		B	X		
Appleton City Lake	L1	35.0	12,39N,29W	Bates	X	X		B	X	X	
Archie Lakes	L1	7.3	SESE28,43N,31W	Cass	X	X		B	X	X	
Armstrong Lake	L1	8.0	NE NE 28,52N,16W	Howard	X	X		B	X	X	
Arno Kreter Lake	L3	5.0	27,41N,5W	Gasconade	X	X		B	X		
Athens State Park Lake	L3	8.0	30,67N,07W	Clark	X	X		A	X		
Atkinson Lake	L3	434.0	6,37N,28W	St. Clair	X	X		A	X		
Atlanta City Lake	L1	17.0	SE SW29,59N,14W	Macon	X	X		B	X	X	
August A Busch Lake Number 34	L3	34.0	Landgrant01669	St. Charles	X	X		B	X		
August A Busch Lake Number 35	L3	51.0	Landgrant01669	St. Charles	X	X		B	X		
August A Busch Lake Number 37	L3	30.0	27,46N,2E	St. Charles	X	X		B	X		
Austin Community Lake	L3	21.0	30,29N,11W	Texas	X	X		A	X		
Autumn Lake	L3	4.0	21,40N,16W	Camden	X	X		B	X		
Baha Trail Lake	L3	16.0	05,39N,01E	Washington	X	X		B	X		
Baring Country Club Lake	L1	85.0	26,63N,12W	Knox	X	X		A	X	X	
Bass Lake	L3	29.0	13,47N,08W	Callaway	X	X		A	X		
Bean Lake	L3	420.0	12,13,14,23, 24, 54N,37W	Platte	X	X		B	X		
Bear Creek Watershed Structure F-1	L3	27.0	6,63N,9W	Clark	X	X		B	X		
Bear Creek Watershed Structure X-5	L3	34.0	15,64N,10W	Scotland	X	X		B	X		
Beaver Lake	L3	14.0	22,25N,04E	Butler	X	X		A	X		
Bee Run Lake Number One	L3	5.0	26,38N,4E	St. Francois	X	X		B	X		
Bee Run Lake Number Three	L3	6.0	24,38N,4E	St. Francois	X	X		B	X		
Bee Run Lake Number Two	L3	4.0	23,38N,4E	St. Francois	X	X		B	X		
Bee Tree Lake	L3	10.0	03,42N,06E	St. Louis	X	X		B	X		
Belcher Branch Lake	L3	42.0	08/17,55N,34W	Buchanan	X	X		B	X		
Belle City Lake	L3	6.0	20,41N,07W	Maries	X	X		B	X		
Bellevue Lake	L1	105.0	16,61N,9W	Lewis	X	X		B	X	X	
Ben Branch Lake	L3	37.0	15/14,44N,08W	Osage	X	X		B	X		
Bennett Lake	L3	47.0	2,51N,14W	Howard	X	X		B	X		
Berndt Lake	L1	21.0	NE SW30,66N,23W	Mercer	X	X		B	X	X	
Bevier Lake	L3	5.0	S SE,14,57N,15W	Macon	X	X		B	X		
Big Buffalo C.A. Lakes	L3	7.9	2,12,41N,20W	Benton	X	X		B	X		
Big Lake	L3	666.0	18&19,30,61N,39W	Holt	X	X		A	X		
Big Lake	L3	25.0	6,48N,7W	Callaway	X	X		B	X		
Big Oak Tree S.P. Lake	L3	33.0	14,23N,16E	Mississippi	X	X		B	X		
Big Soldier Lake	L3	5.0	36,50N,19W	Saline	X	X		B	X		
Bilby Ranch Lake	L3	95.0	13/24,64N,38W	Nodaway	X	X		B	X		
Binder Lake	L3	127.0	SW SE36,45N,13W	Cole	X	X		B	X		
Blind Pony Lake	L3	96.0	NW SE18,49N,22W	Saline	X	X		B	X		
Bloodland Lake (Ft. Wood)	L3	38.1	04,34N,11W	Pulaski	X	X		B	X		
Blue Mountain Lake	L1	14.0	NW SE,09,33N,5E	Madison	X	X		B	X	X	
Blue Springs Lake	L3	642.0	33 ,49N,31W	Jackson	X	X		A	X		
Blues Pond	L3	10.0	09,37N,08W	Phelps	X	X		B	X		
Bluestem Lake	L3	13.0	22,47N,31W	Jackson	X	X		B	X		
Bo Co Mo Lake	L3	140.0	NW NE10,49N,13W	Boone	X	X		B	X		
Bodarc Lake	L3	13.0	23,47N,31W	Jackson	X	X		B	X		
Boggs Lake	L3	32.0	21-28,44N,05W	Gasconade	X	X		B	X		

LWP-Livestock and Wildlife Protection

WWH-Protection of Warm Water Habitat and Human Health Protection (HHP)

CDH-Cold Water Habitat

WBC-Whole Body Contact Recreation

SCR-Secondary Contact Recreation

DWS-Drinking Water Supply

IND-Industrial Water Supply

WATER BODY	CLASS	ACRES	LOCATION	COUNTY(IES)	LWP	WWH	CDH	WBC	SCR	DWS	IND
Bonne Aqua Lake	L3	6.0	SE NE 26,38N,04E	St. Francois	X	X		B	X		
Bonne Terre City Lake	L3	10.0	SUR 467,37N,04E	St. Francois	X	X		B	X		
Bowling Green Reservoir	L1	41.0	W NW29,53N,02W	Pike	X	X		B	X	X	
Brays Lake	L3	162.0	NE NW35,37N,08W	Phelps	X	X		B	X		
Breckenridge Lake	L1	13.0	NE SW3,57N,26W	Caldwell	X	X		B	X	X	
Brookfield Lake	L1	120.0	SE SE33,58N,19W	Linn	X	X		B	X	X	
Browning Lake	L3	120.0	22,25,26,27,3N,22E	Buchanan	X	X		B	X		
Bucklin Lake	L1	17.0	11,57N,18W	Linn	X	X		B	X	X	
Buffalo Bill Lake	L3	45.0	28,58N,31W	DeKalb	X	X		B	X		
Buffalo Lake	L3	2.0	9,48N,7W	Callaway	X	X		B	X		
Bull Shoals Lake	L2	9,000.0	21/34,20N,15W	Ozark	X	X	X	A	X		
Burlington Lake	L3	21.0	34,57N,30W	Clinton	X	X		B	X		
Bushwacker Lake	L3	148.0	26,34N,32W	Vernon	X	X		B	X		
Butler Lake	L1	71.0	NW NE14,40N,32W	Bates	X	X		B	X	X	
Butterfly Lake	L3	65.0	NW NE34,36N,07E	Ste. Genevieve	X	X		B	X		
C and A Lake	L3	39.0	25,51N,09W	Audrain	X	X		B	X		
Callaway Lake	L3	135.0	06,45N,02E	St. Charles	X	X		A	X		
Cameron Lake #1	L1	25.0	SW SW10,57N,30W	DeKalb	X	X		B	X	X	
Cameron Lake #2	L1	31.0	SW SW10,57N,30W	DeKalb	X	X		B	X	X	
Cameron Lake #3	L1	92.0	NW NE09,57N,30W	DeKalb	X	X		B	X	X	
Cameron Lake #4 (Grindstone Reservoir)	L1	173.0	NE NW 08,57N,30W	DeKalb	X	X		B	X	X	
Camp Solidarity Lake	L3	10.0	24,43N,02E	Franklin	X	X		B	X		
Carrollton Recreation Lake	L3	61.0	SE NW07,52N,23W	Carroll	X	X		B	X		
Catclaw Lake	L3	42.0	14,47N,31W	Jackson	X	X		B	X		
Cattail Lake	L3	4.0	5,46N,15W	Cooper	X	X		B	X		
Cedar Hill Lake Number 1	L3	10.0	35,42N,3E	Jefferson	X	X		A	X		
Cedar Hill Lake Number 2	L3	10.0	35,42N,3E	Jefferson	X	X		A	X		
Cedar Hill Lake Number 3	L3	2.0	35,42N,3E	Jefferson	X	X		A	X		
Cedar Lake	L3	21.0	35,48N,13W	Boone	X	X		A	X		
Cedar Lake	L3	45.0	SE SE 21,37N,05E	St. Francois	X	X		A	X		
Charity Lake	L3	9.0	NW SE 1,65N,41W	Atchison	X	X		B	X		
Chaumiere Lake	L3	3.0	6,50N,32W	Clay	X	X		B	X		
Church Lake	L3	3.0	4,46N,15W	Moniteau	X	X		B	X		
City Lake Harrisonville	L1	28.0	34,45N,31W	Cass	X	X		B	X	X	
Clarence Cannon Memorial Structure Number 4	L3	9.0	Landgrant01743	Lincoln	X	X		B	X		
Clarence Cannon Memorial Watershed Structure Number 1 Reservoir	L3	23.0	28,51N,1E	Lincoln	X	X		B	X		
Clarence Cannon Memorial Watershed Structure Number 15	L3	20.0	Landgrant01819	Lincoln	X	X		B	X		
Clarence Lake #2	L1	31.0	15,57N,12W	Shelby	X	X		B	X	X	
Clear Fork Lake	L3	16.0	30,46N,24W	Johnson	X	X		B	X		
Clear Lake	L3	13.0	36 39N,4E	Jefferson	X	X		A	X		
Clearwater Lake	L2	1,635.0	6,28N,3E	Wayne	X	X		A	X		
Cleveland Reservoir	L1	10.0	29,45N,33W	Cass	X	X		B	X	X	
Clover Dell Park Lake	L3	10.0	13,45N,22W	Pettis	X	X		B	X		
Cloverleaf Farm Lake	L3	50.0	19,47N,1E	St. Charles	X	X		B	X		
Cole Lake	L3	40.0	SE10,38N,04E	Jefferson	X	X		A	X		
Cool Valley Lake	L3	19.0	9,40N,2E	Franklin	X	X		B	X		
Cooley Lake	L3	380.0	02,03,11, 51N,30W	Clay	X	X		B	X		
Coot Lake	L3	20.0	22,47N,31W	Jackson	X	X		B	X		
Cosmo-Bethel Lake	L3	6.0	NW36,48N,13W	Boone	X	X		B	X		
Cottontail Lake	L3	22.0	14,47N,31W	Jackson	X	X		B	X		
Council Bluff Lake	L3	423.0	23,35N,01E	Iron	X	X		A	X		
Crane Lake	L3	109.0	W33,32N,04E	Iron	X	X		B	X		
Creighton Lake	L1	18.0	NW SE,14,43N,29W	Cass	X	X		B	X	X	
Crescent Lake	L3	8.0	NE 02,41N,01W	Franklin	X	X		B	X		
Creve Coeur Lake	L3	327.0	20,46N,05E	St. Louis	X	X		B	X		

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Crowder St. Park Lake	L3	18.0	12,61N,25W	Grundy	X	X		A	X		
Crystal Lake	L3	122.0	NW SW32,53N,29W	Ray	X	X		A	X		X
Cut-Off Lake	L3	148.5	01,12,57N,36W	Buchanan	X	X		B	X		
Cut-Off Lake	L3	674.0	26,27,34,35,53N,19W	Chariton	X	X		B	X		
D C Rogers Lake	L1	195.0	NW NW10,50N,16W	Howard	X	X		B	X	X	
Dairy Farm Lake Number 1	L3	14.0	Landgrant02835	Boone	X	X		B	X		
Daniel Boone Lake	L3	288.0	32,58N,12W	Shelby	X	X		B	X		
Davis Lake	L3	44.0	NE NW15,50N,16W	Howard	X	X		B	X		
Dearborn Reservoir	L1	7.0	31,55N,34W	Buchanan	X	X		B	X	X	
Deer Ridge Community Lake	L3	45.0	18,62N,8W	Lewis	X	X		B	X		
Deer Run Lake	L3	31.0	19,34N,7E	Madison	X	X		B	X		
Delaney Lake	L3	100.0	30,27N,16E	Mississippi	X	X		B	X		
Dexter City Lake	L3	11.0	22,25N,10E	Stoddard	X	X		B	X		
Downing Reservoir	L1	22.0	17,66N,13W	Schuyler	X	X		B	X	X	
Drexel City Reservoir South	L1	51.0	7,42N,33W	Bates	X	X		B	X	X	
Drexel Lake	L1	28.0	6, 42N,33W	Bates	X	X		B	X	X	
Duck Creek	L3	1,730.0	31,28N,09E; 5, 27N, 9E	Wayne	X	X		B	X		
Eagle Sky Lake	L1	62.0	NW NW35,30N,04E	Wayne	X	X		B	X	X	
Eagleville Lake	L1	40.0	33,66N,27W	Harrison	X	X		A	X	X	
East Arrowhead Lake	L3	55.0	SE SE18,23N,08W	Howell	X	X	X	A	X		
Edina Lake	L1	9.0	07,62N,11W	Knox	X	X		B	X	X	
Edina Reservoir	L1	51.0	12,62N,11W	Knox	X	X		B	X	X	
Edwin A Pape Lake	L1	272.5	20,48N,24W	Lafayette	X	X		B	X	X	
Ella Ewing Community Lake	L3	12.0	21,64N,10W	Scotland	X	X		A	X		
Elmwood City Lake	L1	197.0	NW 35,63N,20W	Sullivan	X	X		B	X	X	X
Elsie Lake	L3	17.0	30,37N,02E	Washington	X	X		A	X		
Ethel Lake	L1	23.0	NE NW36,59N,17W	Macon	X	X		B	X	X	
Ewing Lake	L1	38.0	6,60N,7W	Lewis	X	X		B	X	X	
Fawn Lake	L3	26.0	13,43N,02W	Franklin	X	X		B	X		
Fellows Lake	L1	800.0	NW NE22,30N,21W	Greene	X	X		A	X	X	
Finger Lakes	L3	118.0	19,30,31,50N,12W,24,25,36,50N13W	Boone	X	X		A	X		
Flat Rock Lake	L3	18.0	31,41N,3E	Jefferson	X	X		B	X		
Flight Lake	L3	100.0	26,36N,32W	Vernon	X	X		B	X		
Fon-Du-Lac Reservoir	L3	24.0	Landgrant01331	Jefferson	X	X		A	X		
Forest Lake	L1	580.0	SE SW14,62N,16W	Adair	X	X		A	X	X	
Fountain Grove Lakes	L3	1,366.3	35,57N,22W	Linn	X	X		B	X		
Fourche Lake	L3	49.0	22,23N,1W	Ripley	X	X		A	X		
Fox Valley Lake	L3	105.0	27,66N,8W	Clark	X	X		B	X		
Foxboro Lake	L3	22.0	14,42N,4W	Franklin	X	X		B	X		
Foxtail Lake	L3	3.0	4,46N,1W	Warren	X	X		B	X		
Fredricktown City Lake	L1	80.0	06,33N,07E	Madison	X	X		B	X	X	
Freeman Lake	L1	13.0	SW SW18,44N,32W	Cass	X	X		B	X	X	
Frisco Lake	L3	5.0	SE SE 02,37N,08W	Phelps	X	X		B	X		
Garden City Lake	L1	26.0	31,44N,29W	Cass	X	X		B	X	X	
Garden City New Lake	L1	39.0	NW18,43N,29W	Cass	X	X		B	X	X	
Gerald City Lake	L3	5.0	12,42N,4W	Franklin	X	X		B	X		
Glover Spring Lake	L3	23.0	13,47N,09W	Callaway	X	X		B	X		
Goff Spring Lake	L3	13.0	23,38N,4E	St. Francois	X	X		B	X		
Golden Eagle Lake	L3	105.0	SE SW16,48N,04W	Montgomery	X	X		B	X		
Goose Creek Lake	L3	316.0	25,38N,6E	Ste. Genevieve	X	X		A	X		
Gopher Lake	L3	38.0	23,47N,31W	Jackson	X	X		B	X		
Gower Lake	L1	11.0	10,55N,33W	Clinton	X	X		B	X	X	
Green City Lake	L1	57.0	SE NE16,63N,18W	Sullivan	X	X		B	X	X	
Green City Lake (Old)	L1	60.0	SE18,63N,18W	Sullivan	X	X		A	X	X	
Hager Lake	L3	9.0	SUR 2969,35N,05E	St. Francois	X	X		B	X		
Hamilton Lake	L1	80.0	SW SW15,57N,28W	Caldwell	X	X		B	X	X	
Happy Holler Lake	L3	68.0	8,60N,34W	Andrew	X	X		B	X		
Harmony Mission Lake	L3	96.0	15,38N,32W	Bates	X	X		B	X		

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Harper Lake	L3	26.0	16,45N,32W	Cass	X	X		B	X		
Harrison County Lake	L1	280.0	17/30,65N,28W	Harrison	X	X		B	X	X	
Harrisonville City Lake	L1	419.0	SW SW26,46N,31W	Cass	X	X		B	X	X	
Harry S Truman Reservoir	L2	55,600.0	7,40N,22W	Benton	X	X		A	X	X	
Hazel Creek Lake	L1	518.0	1,63N,16W	Adair	X	X		B	X	X	
Hazel Hill Lake	L3	62.0	27,47N,26W	Johnson	X	X		B	X		
Helvey Park Lake	L1	11.0	26,53N,33W	Clay	X	X		B	X	X	
Hemitite Lake	L3	215.0	19,35N,4E	St. Francois	X	X		B	X		
Henke Lake	L3	22.0	20,46N,9W	Callaway	X	X		B	X		
Henry Sever Lake	L3	153.0	14,60N,10W	Knox	X	X		A	X		
Hermit Hollow Lake	L3	8.0	29,44N,02E	Franklin	X	X		B	X		
Hi Point Lake	L3	3.0	24,39N,01E	Washington	X	X		B	X		
Higbee Lake	L1	13.0	SE SW09,52N,14W	Randolph	X	X		B	X	X	
Higginsville Reservoir (North)	L1	47.0	NE SW04,49N,25W	Lafayette	X	X		B	X	X	
Higginsville Reservoir (South)	L1	147.1	SW NE09,49N,25W	Lafayette	X	X		B	X	X	
Holden City Lake	L1	290.2	29,46N,28W	Johnson	X	X		B	X	X	
Holden Lake	L3	11.0	12,45N,28W	Johnson	X	X		B	X		
Holden Lake	L3	11.0	07,45N,27W	Johnson	X	X		B	X		
Holiday Acres Lake	L3	206.1	SE SW17,55N,14W	Randolph	X	X		B	X		
Horseshoe Lake	L3	56.0	15,56N,36W	Buchanan	X	X		B	X		
Horseshoe Lake	L3	5.0	8,48N,7W	Callaway	X	X		B	X		
Hough Park Lake	L3	10.0	19,44N,11W	Cole	X	X		B	X		
Houston Lake	L3	16.0	NW 33,51N,33W	Platte	X	X		A	X		
Howell Mill Lakes	L3	97.0	17,36N,01E	Washington	X	X		A	X		
Hunnewell Lake	L3	228.0	NW SW25,57N,09W	Shelby	X	X		B	X		
Hurdland Severs Lake	L3	13.0	1,61N,13W	Knox	X	X		A	X		
Incline Village Lake	L3	165.0	6,47N,1E	St. Charles	X	X		B	X		
Indian Creek Community Lake	L3	199.0	27,59N,25W	Livingston	X	X		B	X		
Indian Lake	L3	279.0	22,15,23,39N,05W	Crawford	X	X		A	X		
Iron Mountain Lake	L3	79.0	SE SW32,35N,04E	St. Francois	X	X		B	X		
Izaak Walton Lake	L3	11.0	32,36N,31W	Vernon	X	X		B	X		
Jackass Bend	L3	200.0	32,51N,29W	Ray	X	X		B	X		X
Jackrabbit Lake	L3	28.0	15,47N,31W	Jackson	X	X		B	X		
Jamesport City Lake	L1	16.0	22,60N,26W	Daviess	X	X		B	X	X	
Jamesport Community Lake	L1	27.0	NE 20,60N,26W	Daviess	X	X		A	X	X	
Jasper Lake	L3	43.0	12,60N,06W	Lewis	X	X		A	X		
Jaycee Park Lake	L3	8.0	17,44N,12W	Cole	X	X		B	X		
Jo Lee Lake	L3	8.0	NESE 19,36N,5E	St. Francois	X	X		B	X		
Johnson Lake	L3	14.0	6,46N,15W	Cooper	X	X		B	X	X	
Junges Lake	L3	37.0	10,41N,21W	Benton	X	X		A	X		
Kahrs-Boger Park Lake	L3	2.0	15,44N,20W	Pettis	X	X		B	X		
Kellogg Lake	L3	22.0	34,29N,31W	Jasper	X	X		A	X		
King City Lake (South)	L1	29.0	SW SW34,61N,32W	Gentry	X	X		B	X	X	
King City New Reservoir	L1	25.4	28,61N,32W	Gentry	X	X		B	X	X	
King City Old Reservoir	L1	12.0	SW NE28,61N,32W	Gentry	X	X		B	X	X	
King Lake	L3	204.0	13,60N,32W	DeKalb	X	X		A	X	X	
Kiwanis Lake	L3	4.0	SW23,51N,9W	Audrain	X	X		B	X		
Klontz Lake	L3	14.0	02,39N,04W	Crawford	X	X		A	X		
Knox Village Lake	L3	3.0	1,47N,32W	Jackson	X	X		B	X		
Koeneman Park Lake	L3	5.0	8,46N,07E	St. Louis	X	X		B	X		
Kraut Run Lake	L3	164.0	Landgrant00056	St. Charles	X	X		B	X		
L. Prairie Comm. Lake	L3	95.0	SE SE21,38N,7W	Phelps	X	X		B	X		
La Plata City Lake	L1	89.0	14,60N,14W	Macon	X	X		B	X	X	
La Plata Lake	L1	22.0	9,60N,14W	Macon	X	X		B	X	X	
Lac Benet Lake	L3	7.0	20,37N,4E	St. Francois	X	X		A	X		
Lac Bergerac	L3	7.0	19,37N,4E	St. Francois	X	X		A	X		
Lac Bourbon	L3	7.0	19,37N,4E	St. Francois	X	X		A	X		
Lac Calista	L3	5.0	28,37N,4E	St. Francois	X	X		A	X		
Lac Capri	L3	106.0	30,37N,4E	St. Francois	X	X		A	X		

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Lac Carmel	L3	55.0	18,37N,4E	St. Francois	X	X		A	X		
Lac Catalina	L3	5.0	19,37N,4E	St. Francois	X	X		A	X		
Lac Darcie	L3	4.0	19,37N,4E	St. Francois	X	X		A	X		
Lac Lafitte	L3	36.0	28,37N,4E	St. Francois	X	X		A	X		
Lac Marseilles	L3	48.0	29,37N,4E	St. Francois	X	X		A	X		
Lac Michel	L3	7.0	19,37N,4E	St. Francois	X	X		A	X		
Lac Renee	L3	4.0	20,37N,4E	St. Francois	X	X		A	X		
Lac Shayne	L3	76.0	25,37N,3E	Washington	X	X		A	X		
Lac Tiffany	L3	4.0	30,37N,4E	St. Francois	X	X		A	X		
Lac Veron	L3	3.0	30,37N,4E	St. Francois	X	X		A	X		
Lake Allaman	L3	6.0	NE 24,56N,30W	Clinton	X	X		A	X		
Lake Anne	L3	81.0	Landgrant02046	Ste. Genevieve	X	X		B	X		
Lake Annette	L3	65.0	01,44N,33W	Cass	X	X		B	X		
Lake Arrowhead	L3	101.0	18,54N,30W	Clinton	X	X		A	X		
Lake Arrowhead	L3	23.0	NW NE 31, 42N, 2E	Franklin	X	X		A	X		
Lake Boutin	L3	20.0	15,32N,14E	Cape Girardeau	X	X		A	X		
Lake Briarwood	L3	69.0	SW NE33,40N,04E	Jefferson	X	X		A	X		
Lake Buteo	L3	7.0	29,46N,24W	Johnson	X	X		B	X		
Lake Champetra	L3	58.0	NW13,45N,12W	Boone	X	X		A	X		
Lake Cherokee	L3	6.0	14,36N,03E	Washington	X	X		B	X		
Lake Contrary	L3	291.0	26,27,35,57N,36W	Buchanan	X	X		A	X		
Lake Girardeau	L3	144.0	SW SW09,30N,11E	Cape Girardeau	X	X		B	X		
Lake Innsbrook	L3	37.0	8,46N,1W	Warren	X	X		A	X		
Lake Jacomo	L3	998.0	NE NW11,48N,31W	Jackson	X	X		A	X		
Lake Killarney	L3	61.0	NW NW01,33N,04E	Iron	X	X		A	X		
Lake Lacawanna	L3	10.0	SE SE 11,38N,05E	St. Francois	X	X		B	X		
Lake Lincoln	L3	51.0	8,49N,1E	Lincoln	X	X		A	X		
Lake Lochaweenoo	L3	39.0	24,47N,08W	Callaway	X	X		A	X		
Lake Loraine	L3	37.0	SUR 1970, 41N,04E	Jefferson	X	X		A	X		
Lake Lotawana	L3	487.0	SE SE29,48N,30W	Jackson	X	X		A	X		
Lake Lucern	L3	43.0	6,46N,1W	Warren	X	X		A	X		
Lake Luna	L3	23.0	4,44N,31W	Cass	X	X		B	X		
Lake Marie	L3	60.0	NE NW 36,66N,24W	Mercer	X	X		A	X		
Lake McGinness	L3	50.0	NW20,55N,30W	Clinton	X	X		B	X		
Lake Montowese	L3	39.0	27,43N,4E	Jefferson	X	X		A	X		
Lake Nehai Tonkayea	L3	228.0	NW NE11,55N,18W	Chariton	X	X		A	X		
Lake Nell	L3	26.0	22,47N,31W	Jackson	X	X		B	X		
Lake Niangua	L3	256.0	19,37N,17W	Camden	X	X		A	X		X
Lake Northwood	L3	77.0	SE NE33,43N,05W	Gasconade	X	X		A	X		
Lake Ocie	L3	62.0	Landgrant00884	Ste. Genevieve	X	X		A	X		
Lake of the Oaks	L3	53.0	SE SW07,63N,06W	Clark	X	X		A	X		
Lake of the Ozarks	L2	59,520.0	SE SE19,40N,15W	Camden	X	X		A	X		X
Lake of the Woods	L3	3.0	NE SW 02,48N,12W	Boone	X	X		B	X		
Lake of the Woods	L3	7.0	11,48N,33W	Jackson	X	X		B	X		
Lake of the Woods Country Club Lake Number 2	L3	1.0	2,48N,12W	Boone	X	X		B	X		
Lake Paho	L3	273.0	NE SE25,65N,25W	Mercer	X	X		B	X		
Lake Sainte Louise	L3	71.0	Landgrant00929	St. Charles	X	X		A	X		
Lake Scioto	L3	5.0	30,38N,6W	Phelps	X	X		B	X		
Lake Serene	L3	59.0	NW NE03,42N,02E	Franklin	X	X		A	X		
Lake Sherwood	L3	120.0	SW SE11,45N,01W	Warren	X	X		A	X		
Lake Ski	L3	64.0	Landgrant00884	Ste. Genevieve	X	X		A	X		
Lake Springfield	L3	293.0	19,28N,21W	Greene	X	X		B	X		X
Lake St. Clair #1	L3	52.0	SW SE02,41N,01W	Franklin	X	X		A	X		
Lake St. Louis	L3	444.0	SUR 54 (NE SW26,47N,02E)	St. Charles	X	X		A	X		
Lake Taneycomo	L2	2,118.6	SW NE8,23N,20W	Taney	X	X	X	A	X	X	X
Lake Tapawingo	L3	83.0	NE NE34,49N,31W	Jackson	X	X		A	X		
Lake Tebo	L3	73.0	12,44N,22W	Pettis	X	X		B	X		

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Lake Thunderbird	L3	33.0	NE,NW 5,41N,01E	Franklin	X	X		A	X		
Lake Thunderhead	L1	859.0	NE NE15,66N,19W	Putnam	X	X		A	X	X	
Lake Timber Ridge	L3	35.0	SW SE 16,43N,06W	Gasconade	X	X		A	X		
Lake Timberline	L3	39.0	24,38N,4E	St. Francois	X	X		A	X		
Lake Tishomingo	L3	120.0	Landgrant03027	Jefferson	X	X		A	X		
Lake Tom Sawyer	L3	4.0	4,54N,8W	Monroe	X	X		A	X		
Lake Torino	L3	7.0	20,42N,02E	Franklin	X	X		B	X		
Lake Tywappity	L3	43.0	SW SE08,29N,13E	Scott	X	X		A	X		
Lake Viking	L1	552.0	09,59N,28W	Daviess	X	X		A	X	X	
Lake Wanda Lee	L3	97.0	SUR 884, 37N, 7E	Ste. Genevieve	X	X		A	X		
Lake Wappapello	L2	7,827.0	3,26N,7E	Wayne	X	X		A	X		
Lake Wauwanoka	L3	93.0	SE NW01,40N,04E	Jefferson	X	X		A	X		
Lake Winnebago	L3	272.0	NE NW09,46N,31W	Cass	X	X		A	X		
Lakes of Deerwood Number One	L3	8.0	32,42N,4E	Jefferson	X	X		B	X		
Lakeview Park Lake	L3	25.0	SW35,51N,09W	Audrain	X	X		B	X		
Lakewood Lakes	L3	279.0	NE NE07,48N,31W & SW SW 5, 48N, 31W	Jackson	X	X		A	X		
Lamar Lake	L1	148.0	SW NW32,32N,30W	Barton	X	X		B	X	X	
Lamine River C.A. Lakes	L3	37.0	25,26,27,36,46N,19W; 2,11,45N,19W; 7,18,45N,18W.	Cooper	X	X		B	X		
Lancaster City Lake - New	L1	56.0	23,66N,15W	Schuyler	X	X		B	X	X	
Lancaster Lake - Old	L1	23.0	SW NE14,66N,15W	Schuyler	X	X		B	X	X	
Lane Lake	L3	10.0	32,37N,01W	Washington	X	X		A	X		
Lawson City Lake	L1	25.0	31,54N,29W	Ray	X	X		A	X	X	
Leisure Lake	L3	38.0	NE SE05,61N,25W	Grundy	X	X		A	X		
Leisure Lake	L3	45.0	33,48N,08W	Callaway	X	X		A	X		
Lewis & Clark Lake	L3	403.0	27,28,33,55N,37W	Buchanan	X	X		A	X		
Lewis Lake	L3	6.0	SE, NE 10,26N,11E	Stoddard	X	X		B	X		
Lewistown Lake	L1	35.0	NW SW08,61N,08W	Lewis	X	X		B	X	X	
Liberty Park Lake	L3	1.0	04,45N,21W	Pettis	X	X		B	X		
Limpp Community State Lake	L3	27.0	29,61N,32W	Gentry	X	X		B	X		
Linneus Lake	L1	17.0	NE SW36,59N,21W	Linn	X	X		B	X	X	
Lions Lake	L3	11.0	16,44N,01W	Franklin	X	X		B	X		
Lions Lake	L3	13.0	26,46N,26W	Johnson	X	X		B	X		
Lisle Pond	L3	22.0	05,43N,33W	Cass	X	X		B	X		
Little Compton Lake	L3	36.0	29,32,55N,21W	Carroll	X	X		B	X		
Little Dixie Lake	L3	199.0	26,48N,11W	Callaway	X	X		B	X		
Loch Leonard	L3	27.0	SE18,46N,30W	Cass	X	X		B	X		
Loggers Lake	L3	21.0	10,15,31N,03W	Shannon	X	X		A	X		
Lone Jack Lake	L3	31.0	11,47N,30W	Jackson	X	X		B	X		
Lone Tree Lake	L3	21.0	N NE15,46N,6W	Montgomery	X	X		B	X		
Lonedell Lake	L3	40.0	16,40N,02E	Franklin	X	X		B	X		
Long Branch Lake	L2	2,686.0	NW18,57N,14W	Macon	X	X		A	X	X	
Long Lake	L3	10.0	NW NW 03,25N,12E	Stoddard	X	X		B	X		
Longview Lake	L2	953.0	04,47N,32W	Jackson	X	X		A	X		
Lost Valley Lake	L3	37.0	SE NE17,43N,04W	Gasconade	X	X		A	X		
Lower Taum Sauk Lake	L3	200.0	33,33N,02E	Reynolds	X	X		B	X		
Lucky Clover Lake	L3	20.0	20,38N,04W	Crawford	X	X		A	X		
Mac Lake - Ziske	L3	28.0	SW NE 17,34N,05W	Dent	X	X		B	X		
Macon Lake	L3	189.0	SE NW17,57N,14W	Macon	X	X		B	X	X	
Malta Bend Community Lake	L3	4.0	25,51N,23W	Saline	X	X		B	X		
Manito Lake	L3	77.0	08,09,44N,17W	Moniteau	X	X		B	X		
Maple Leaf Lake	L3	127.0	04,48N,26W	Lafayette	X	X		B	X		
Marais Temps Clair	L3	725.7	19,48N,06E and 24,48N,5E	St. Charles	X	X		B	X		
Marceline Reservoir	L1	68.0	SE 28,57N,18W	Linn	X	X		B	X	X	
Mark Twain Lake	L2	20,100.0	26,55N,7W	Ralls	X	X		A	X	X	X
Marshall Habilitation Center Lake	L3	10.0	11,50N,21W	Saline	X	X		B	X		

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Martin Lakes	L3	17.0	11,26N,11E	Stoddard	X	X		B	X		
Maysville Lake	L1	27.0	NE NE 4, 58N,31W	DeKalb	X	X		B	X	X	
Maysville Lake	L1	12.0	NW NE03,58N,31W	DeKalb	X	X		B	X	X	
McCormack Lake	L3	9.0	NW SW 24,25N,04W	Oregon	X	X		A	X		
McDaniel Lake	L1	218.0	NE SE26,30N,22W	Greene	X	X		B	X	X	
Melody Lake	L3	32.0	27,42N,03W	Franklin	X	X		A	X		
Memphis Lake	L1	253.0	15,65N,12W	Scotland	X	X		B	X	X	
Memphis Reservoir	L1	41.0	14,65N,12W	Scotland	X	X		B	X	X	
Middle Fork Water Company Lake	L1	98.0	6,63N,31W	Gentry	X	X		B	X	X	
Milan Lake North	L1	13.0	SE SE02,62N,20W	Sullivan	X	X		B	X	X	
Milan Lake South	L1	37.0	SE SE,02,62N,20W	Sullivan	X	X		B	X	X	
Mineral Lake	L3	8.0	1,42N,3W	Franklin	X	X		B	X		
Monopoly Marsh	L3	2,329.0	16,27,8E	Wayne	X	X		B	X		
Monroe City Lake	L1	94.0	34,56N,7W	Ralls	X	X		A	X	X	
Monroe City Lake A	L1	17.0	NW NW13,56N,08W	Monroe	X	X		B	X	X	
Monroe Lake B	L1	60.0	30,56N,7W	Monroe	X	X		B	X	X	
Monsanto Lake	L3	18.0	SE NW 20,36N,5E	St. Francois	X	X		A	X		
Monte Gurwit Lake	L3	11.0	4,50N,13W	Boone	X	X		B	X		
Montrose Lake	L3	1,444.0	NE NW33,41N,27W	Henry	X	X		B	X		X
Morel Lake	L3	2.0	30,46N,24W	Johnson	X	X		B	X		
Mozingo Lake	L1	998.0	13,64N,35W	Nodaway	X	X		B	X	X	
New Cambria Lake	L1	9.0	SW NE07,57N,16W	Macon	X	X		B	X	X	
New City Lake	L1	78.0	27,64N,28W	Harrison	X	X		A	X	X	
New La Belle Lake	L1	18.0	16,61N,09W	Lewis	X	X		B	X	X	
New Marceline City Lake	L1	160.0	14,56N,19W	Chariton	X	X		B	X	X	
Nims Lake	L1	251.0	24,34N,6E	Madison	X	X		A	X	X	
Noblett Lake	L3	26.0	25,26N,11W	Douglas	X	X		A	X		
Nodaway Lake	L3	73.0	SW NE20,65N,35W	Nodaway	X	X		B	X		
Norfolk Lake	L2	1,000.0	21N,12W	Ozark	X	X		A	X		
North Lake	L1	38.0	28,45N,31W	Cass	X	X		B	X	X	
North Lake	L3	7.0	32,49N,7W	Callaway	X	X		B	X		
North Sever Lake	L3	12.5	20,63N,11W	Knox	X	X		B	X		
Odessa Lake	L1	87.0	NW NE15,48N,28W	Lafayette	X	X		B	X	X	
Odessa Lake (Old)	L1	22.0	NW NW14,48N,28W	Lafayette	X	X		B	X	X	
Old Bethany City Lake	L1	18.0	2,63N,28W	Harrison	X	X		B	X	X	
Old Lake	L1	28.0	30,53N,2W	Pike	X	X		B	X	X	
Old Lake	L1	20.0	15,57N,12W	Shelby	X	X		B	X	X	
Old Mud Lake	L3	126.0	16,20,21, 56N,36W	Buchanan	X	X		B	X		
Old Plattsburg Lake	L1	15.0	13,55N,32W	Clinton	X	X		B	X	X	
Old Reservoir	L1	20.0	3,53N,14W	Randolph	X	X		B	X	X	
Opossum Hollow Lake	L3	63.0	SW NE29,39N,03W	Crawford	X	X		A	X		
Oscie Ora Acres Lake	L3	50.0	10,28N,33W	Jasper	X	X		B	X		
Otter Lake	L3	250.0	17,24N,09E	Stoddard	X	X		B	X		
Painted Rock Lake	L3	5.0	11,42N,11W	Osage	X	X		B	X		
Palmer Lake	L3	102.0	22,36N,01E	Washington	X	X		A	X		
Panther Creek D-1 Lake	L3	28.0	32,65N,26W	Harrison	X	X		B	X		
Parker Lake #1	L3	20.0	SE SE 31,35N,09E	Perry	X	X		A	X		
Parker Lake No. 2	L3	80.0	NE SW32,35N,09E	Perry	X	X		A	X		
Parole Lake	L3	42.0	07,36N,01E	Washington	X	X		A	X		
Paul Herring Lake	L3	44.0	17,46N,9W	Callaway	X	X		B	X		
Peaceful Valley Lake	L3	158.0	NE NE25,42N,06W	Gasconade	X	X		A	X		
Peculiar Lake	L1	25.0	SE SW22,45N,32W	Cass	X	X		B	X	X	
Penn's Pond Lake	L3	8.0	06,34N,11W	Pulaski	X	X		B	X		
Perco Lakes	L3	21.7	SW5, NW8 ,34N,10E	Perry	X	X		B	X		
Perry C.A. Lakes	L3	16.4	28.33.34.36.48N,24W;30,48N,23W	Johnson	X	X		B	X		
Perry City Lake	L1	18.0	34,54N,7W	Ralls	X	X		B	X	X	
Perry City Lake Upper	L1	7.0	34,54N,7W	Ralls	X	X		B	X	X	

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Perry County Community Lake	L3	89.0	SW NE22,35N,10E (SUR 856)	Perry	X	X		B	X		
Perry Phillips Lake	L3	41.0	32,48N,12W	Boone	X	X		B	X		
Pershing St. Park Lakes	L3	12.0	2,11,57N,21W	Linn	X	X		A	X		
Peters Lake	L3	62.0	NW NW4,50N,16W	Howard	X	X		B	X		
Pike Lake	L3	17.0	02,59N,25W	Livingston	X	X		A	X		
Pim Lake	L3	7.0	SWNW 20,36N,5E	St. Francois	X	X		A	X		
Pinewoods Lake	L3	22.0	07,26N,03E	Carter	X	X		B	X		
Pinnacle Lake	L3	115.0	SE NE24,47N,05W	Montgomery	X	X		A	X		
Plattsburg 6 Mi. Lane Lk.	L3	57.0	SW SE11,55N,32W	Clinton	X	X		B	X	X	
Pleasant Hill Lake	L1	91.0	SW SE01,46N,31W	Cass	X	X		B	X	X	
Plover Lake	L3	14.0	15,47N,31W	Jackson	X	X		B	X		
Poague C.A. Lakes	L3	80.0	19,30,42N,26W, 24,42N,27W	Henry	X	X		B	X		
Pomme de Terre Lake	L2	7,675.0	2,36N,22W	Polk	X	X		A	X		
Pond Number 1	L3	3.0	8,48N,7W	Callaway	X	X		B	X		
Pond Number 2	L3	1.0	8,48N,7W	Callaway	X	X		B	X		
Pond Number 2	L3	4.0	32,43N,25W	Henry	X	X		B	X		
Pond Number 3	L3	1.0	8,48N,7W	Callaway	X	X		B	X		
Pond Number 3	L3	3.0	32,43N,25W	Henry	X	X		B	X		
Pond Number 4	L3	1.0	8,48N,7W	Callaway	X	X		B	X		
Pond Number 5	L3	1.0	5,48N,7W	Callaway	X	X		B	X		
Pond Number 6	L3	1.0	6,48N,7W	Callaway	X	X		B	X		
Pond Number 7	L3	1.0	5,48N,7W	Callaway	X	X		B	X		
Pond Number 8	L3	1.0	16,48N,7W	Callaway	X	X		B	X		
Pony Express Lake	L3	256.0	33,58N,31W	DeKalb	X	X		A	X		
Port Hudson Lake	L3	53.0	16,43N,3W	Franklin	X	X		B	X		
Port Perry Lake	L3	155.0	NE SE08,34N,09E	Perry	X	X		B	X		
Potosi Lake	L3	20.0	SW NW 35,37N,03E	Washington	X	X		A	X		
Prairie Lee Lake	L3	144.0	NE SW27,48N,31W	Jackson	X	X		A	X		
Presumed Use Lakes	L3	10.0	Lower Des Moines - 07100009	Clark	X	X		B	X		
Presumed Use Lakes	L3	488.0	Bear-Wyaconda - 07110001	Marion	X	X		B	X		
Presumed Use Lakes	L3	247.0	North Fabius - 07110002	Marion	X	X		B	X		
Presumed Use Lakes	L3	114.0	South Fabius - 07110003	Marion	X	X		B	X		
Presumed Use Lakes	L3	711.0	Sny - 07110004	Lincoln	X	X		B	X		
Presumed Use Lakes	L3	229.0	North Fork Salt - 07110005	Monroe	X	X		B	X		
Presumed Use Lakes	L3	195.0	Independence - Sugar -- 10240011	Clay	X	X		B	X		
Presumed Use Lakes	L3	745.0	South Fork Salt -07110006	Monroe	X	X		B	X		
Presumed Use Lakes	L3	336.0	Salt - 07110007	Pike	X	X		B	X		
Presumed Use Lakes	L3	1,830.0	Cuivre - 07110008	St. Charles	X	X		B	X		
Presumed Use Lakes	L3	995.0	Peruque-Piasa - 07110009	St. Charles	X	X		B	X		
Presumed Use Lakes	L3	223.0	Chahokia-Joachim -- 07140101	Ste. Genevieve	X	X		B	X		
Presumed Use Lakes	L3	745.0	Meramec - 07140102	Jefferson	X	X		B	X		
Presumed Use Lakes	L3	247.0	Bourbeuse - 07140103	Franklin	X	X		B	X		
Presumed Use Lakes	L3	774.0	Big - 07140104	Jefferson	X	X		B	X		
Presumed Use Lakes	L3	1,063.0	Upper Mississippi - Cape Girardeau - 07140105	Mississippi	X	X		B	X		
Presumed Use Lakes	L3	426.0	Whitewater - 07140107	Cape Girardeau	X	X		B	X		
Presumed Use Lakes	L3	357.0	Lower Mississippi Memphis - 08010100	Pemiscot	X	X		B	X		
Presumed Use Lakes	L3	261.0	New Madrid - St Johns - 08020201	New Madrid	X	X		B	X		
Presumed Use Lakes	L3	764.0	Upper St Francis - 08020202	Wayne	X	X		B	X		
Presumed Use Lakes	L3	137.0	Lower St Francis - 08020203	Dunklin	X	X		B	X		

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Presumed Use Lakes	L3	286.0	Little River Ditches - 08020204	Dunklin	X	X		B	X		
Presumed Use Lakes	L3	136.0	Nishnabota - 10240004	Atchison	X	X		B	X		
Presumed Use Lakes	L3	351.0	Tarkio - Wolf - 10240005	Andrew	X	X		B	X		
Presumed Use Lakes	L3	68.0	Nodaway - 10240010	Andrew	X	X		B	X		
Presumed Use Lakes	L3	201.0	Platte - 10240012	Platte	X	X		B	X		
Presumed Use Lakes	L3	43.0	One Hundred and Two - 10240013	Buchanan	X	X		B	X		
Presumed Use Lakes	L3	414.0	Upper Grand - 10280101	Livingston	X	X		B	X		
Presumed Use Lakes	L3	182.0	Thompson - 10280102	Livingston	X	X		B	X		
Presumed Use Lakes	L3	514.0	Lower Grand - 10280103	Chariton	X	X		B	X		
Presumed Use Lakes	L3	96.0	Upper Chariton - 10280201	Adair	X	X		B	X		
Presumed Use Lakes	L3	185.0	Lower Chariton - 10280202	Chariton	X	X		B	X		
Presumed Use Lakes	L3	189.0	Little Chariton - 10280203	Chariton	X	X		B	X		
Presumed Use Lakes	L3	184.0	Lower Marias Des Cygnes - 10290102	Bates	X	X		B	X		
Presumed Use Lakes	L3	67.0	Little Osage - 10290103	Vernon	X	X		B	X		
Presumed Use Lakes	L3	12.0	Marmaton - 10290104	Vernon	X	X		B	X		
Presumed Use Lakes	L3	479.0	Harry S. Truman Reservoir - 10290105	Benton	X	X		B	X		
Presumed Use Lakes	L3	391.0	Sac - 10290106	St. Clair	X	X		B	X		
Presumed Use Lakes	L3	82.0	Pomme de Terre - 10290107	Benton	X	X		B	X		
Presumed Use Lakes	L3	1,750.0	South Grand - 10290108	Benton	X	X		B	X		
Presumed Use Lakes	L3	349.0	Lake of the Ozarks - 10290109	Camden	X	X		B	X		
Presumed Use Lakes	L3	137.0	Niangua - 10290110	Camden	X	X		B	X		
Presumed Use Lakes	L3	249.0	Lower Osage - 10290111	Osage	X	X		B	X		
Presumed Use Lakes	L3	194.0	Upper Gasconade - 10290201	Pulaski	X	X		B	X		
Presumed Use Lakes	L3	9.0	Big Piney - 10290202	Pulaski	X	X		B	X		
Presumed Use Lakes	L3	111.0	Lower Gasconade - 10290203	Gasconade	X	X		B	X		
Presumed Use Lakes	L3	1,608.0	Lower Missouri Crooked - 10300101	Howard	X	X		B	X		
Presumed Use Lakes	L3	1,763.3	Lower Missouri Moreau - 10300102	Gasconade	X	X		B	X		
Presumed Use Lakes	L3	367.0	Lamine - 10300103	Cooper	X	X		B	X		
Presumed Use Lakes	L3	675.0	Blackwater - 10300104	Cooper	X	X		B	X		
Presumed Use Lakes	L3	976.0	Lower Missouri - 10300200	St. Charles	X	X		B	X		
Presumed Use Lakes	L3	11.0	Beaver Reservoir - 11010001	Stone	X	X		B	X		
Presumed Use Lakes	L3	95.0	James - 11010002	Webster	X	X		B	X		
Presumed Use Lakes	L3	34.0	Bull Shoals Lake - 11010003	Ozark	X	X		B	X		
Presumed Use Lakes	L3	2.0	North Fork White - 11010006	Ozark	X	X		B	X		
Presumed Use Lakes	L3	467.0	Upper Black - 11010007	Wayne	X	X		B	X		
Presumed Use Lakes	L3	187.0	Current - 11010008	Ripley	X	X		B	X		
Presumed Use Lakes	L3	40.0	Lower Black - 11010009	Ripley	X	X		B	X		
Presumed Use Lakes	L3	116.0	Spring - 11010010	Oregon	X	X		B	X		
Presumed Use Lakes	L3	66.2	Eleven Point - 11010011	Oregon	X	X		B	X		
Presumed Use Lakes	L3	762.0	Spring - 11070207	Jasper	X	X		B	X		
Presumed Use Lakes	L3	56.0	Elk - 110700208	McDonald	X	X		B	X		
Primrose Lake	L3	33.0	23,38,04E	St. Francois	X	X		B	X		
Radio Springs Lake	L3	8.0	08,35N,31W	Vernon	X	X		B	X		
Railroad Lake	L3	8.0	34,45N,15W	Moniteau	X	X		B	X		
Raintree Lake	L3	248.1	06,46N,31W	Cass	X	X		A	X		

LWP-Livestock and Wildlife Protection
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 CDH-Cold Water Habitat

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 SCR-Secondary Contact Recreation
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WATER BODY	CLASS	ACRES	LOCATION	COUNTY(IES)	LWP	WWH	CDH	WBC	SCR	DWS	IND
Raintree Plantation Lake	L3	115.0	29,41N,04E	Jefferson	X	X		A	X		
Ray County Community Lake	L3	23.0	13,52N,28W	Ray	X	X		A	X		
Raymond Claus Lake	L3	8.7	SE SE17,27N,11E	Stoddard	X	X		B	X		
Rice Lake East	L3	11.0	09,27N,11E	Stoddard	X	X		B	X		
Rice Lake West	L3	4.0	SENE 9,27N,11E	Stoddard	X	X		B	X		
Rinquelin Trail Community Lake	L3	27.0	NE 29,39N,11W	Maries	X	X		B	X		
Ripley Lake	L3	18.0	10,23N,01E	Ripley	X	X		A	X		
Riss Lake	L3	134.0	SW SW25,51N,33W	Platte	X	X		B	X		
Roach Lake	L3	106.0	30,57N,23W	Livingston	X	X		A	X		
Roby Lake	L3	10.0	34/35,33N,11W	Texas	X	X		A	X		
Rock House Lake	L1	62.0	NE SW 36,65N,27W	Harrison	X	X		A	X	X	
Rocky Fork Lake	L3	60.0	NW SE31,50N,12W	Boone	X	X		B	X		
Rocky Hollow Lake	L3	20.0	SE33,53N,30W	Clay	X	X		B	X		
Rothwell Lake	L3	25.0	3,53N,14W	Randolph	X	X		B	X		
Salisbury City Lake (Pine Ridge Lake)	L3	25.0	15,53N,17W	Chariton	X	X		B	X		
Santa Fe Lake	L3	29.0	5,60N,14W	Macon	X	X		A	X		
Savannah City Reservoir	L1	20.0	07,59N,35W	Andrew	X	X		A	X	X	
Sayersbrook Lake	L3	36.0	NE SE28,38N,01E	Washington	X	X		B	X		
Schell Lake	L3	371.0	6,37N,28W	St. Clair	X	X		A	X		
Schuyler Co. PWSD #1 Lake	L1	33.0	SE SE04,64N,015W	Schuyler	X	X		B	X	X	
Sears Community Lake	L3	32.0	18,63N,19W	Sullivan	X	X		A	X		
See Tal Lake	L3	11.0	NW NW01,45N,05W	Gasconade	X	X		B	X		
Sequoiata Park Lake	L3	3.0	09,28N,21W	Greene	X	X		B	X		
Settles Ford C.A. Lakes	L3	968.0	33,43N,29W;4,5,8-10,15-18,4 2N,29W;13,42N,30W	Bates	X	X		B	X		
Seven Springs Lake	L3	18.0	23-24,36N,06W	Phelps	X	X		A	X		
Shawnee Lake - Turner	L3	15.0	SW NW 17,34N,05W	Dent	X	X		B	X		
Shelbina Lake	L1	52.0	20,57N,10W	Shelby	X	X		B	X	X	
Shelbyville Lake	L1	32.0	SE SE19,58N,10W	Shelby	X	X		B	X	X	
Shepard Mountain Lake	L1	21.0	01,33N,03E	Iron	X	X		B	X	X	
Silver Lake	L3	54.0	SW SW16,46N,32W	Cass	X	X		B	X		
Silver Lake-Levee 3	L3	2,464.0	06,55N,20W	Chariton	X	X		B	X		
Simpson Park Lake	L3	64.0	16,44N,5E	St. Louis	X	X		B	X		
Sims Valley Community Lake	L3	42.0	17,20,27N,08W	Howell	X	X		A	X		
Smithville Lake	L2	7,738.0	13,53N,33W	Clay	X	X		A	X	X	
Snow Hollow Lake	L3	31.0	26/27,34N,03E	Iron	X	X		B	X		
South Lake	L3	2.0	8,48N,7W	Callaway	X	X		B	X		
South Pool-Levee 3	L3	263.0	1,2,11,12,13,55N,21W	Chariton	X	X		B	X		
Spencer Lake	L3	7.0	NW19,66N,14W	Schuyler	X	X		B	X		
Sportsman Lake	L1	7.0	NE SE,04,49N,06W	Montgomery	X	X		B	X	X	
Spring Fork Lake	L1	178.0	NE SW21,44N,21W	Pettis	X	X		B	X	X	
Spring Lake	L3	87.0	10,61N,16W	Adair	X	X		A	X		
Spring Lake	L3	5.0	33,40N,4E	Jefferson	X	X		B	X		
Squaw Creek NWR Pools	L3	1,230.0	36,61N,39W	Holt	X	X		B	X		
Sterling Price Community Lake	L3	23.0	17,53N,17W	Chariton	X	X		A	X		
Stockton Lake	L2	23,680.0	NE NE15,34N,26W	Cedar	X	X		A	X	X	
Strip Pit 1	L3	11.0	32,43N,25W	Henry	X	X		B	X		
Strip Pit 1	L3	7.0	9,38N,32W	Bates	X	X		B	X		
Strip Pit 2	L3	5.0	9,38N,32W	Bates	X	X		B	X		
Strip Pit 3	L3	6.0	9,38N,32W	Bates	X	X		B	X		
Strip Pit 4	L3	4.0	9,38N,32W	Bates	X	X		B	X		
Strip Pit 5	L3	6.0	4,38N,32W	Bates	X	X		B	X		
Strip Pit 6	L3	2.0	4,38N,32W	Bates	X	X		B	X		
Strobel Lake	L3	33.0	SW SW 01,27N,09E	Stoddard	X	X		B	X		
Sugar Creek Lake	L1	308.0	NE SE16,54N,14W	Randolph	X	X		B	X	X	
Sullivan City Lake	L3	5.0	NE NW 20,40N,02W	Crawford	X	X		B	X		
Summerset & Fisherman's Lakes	L3	75.0	SW15,39N,04E	Jefferson	X	X		A	X		

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WATER BODY	CLASS	ACRES	LOCATION	COUNTY(IES)	LWP	WWH	CDH	WBC	SCR	DWS	IND
Sunfish Lake	L3	27.0	SUR 3097, 155, 1840, 47N,07E	St. Louis	X	X		B	X		
Sunnen Lake	L3	206.0	SW SE04,37N,01E	Washington	X	X		A	X		
Sunrise Lake	L3	21.0	36,39N,4E	Jefferson	X	X		A	X		
Sunset Lake	L3	6.0	13,44N,12W	Cole	X	X		B	X		
Sunset Lake	L3	50.2	NW SE33,39N,07E	Ste. Genevieve	X	X		B	X		
Sunshine Lake	L3	500.0	19,29,32,51N,27W	Ray	X	X		A	X		X
Swan Lake-Levee 5	L3	1,425.0	10,55N,21W	Chariton	X	X		B	X		
Table Rock Lake	L2	41,747.0	SW NW22,22N,22W	Stone	X	X		A	X		
Tarsney Lake	L3	17.0	22,48N,30W	Jackson	X	X		A	X		
Tea Lake No. 1	L3	25.0	08,41N,04W	Gasconade	X	X		B	X		
Teal Lake	L3	84.0	36,51N,9W	Audrain	X	X		B	X		
Tebo Freshwater Lake	L3	250.0	SW SW25,43N,25W	Henry	X	X		B	X		
Ten Mile Pond	L3	70.0	07,04,03,24N,16E	Mississippi	X	X		B	X		
Thirtyfour Corner Blue Hole	L3	9.0	35,25N,17E	Mississippi	X	X		B	X		
Thomas Hill Reservoir	L2	4,400.0	NE SE24,55N,16W	Randolph	X	X		A	X	X	X
Tobacco Hills Lake	L3	16.0	NW11,53N,35W	Platte	X	X		B	X		
Tom Bird Blue Hole	L3	6.0	29,27N,18E	Mississippi	X	X		B	X		
Treeline Lake	L3	30.0	30,40N,16W	Camden	X	X		B	X		
Trenton Lake Lower	L1	103.0	SW 15,61N,24W	Grundy	X	X		B	X	X	
Trenton Lake Upper	L1	68.0	NE SE15,61N,24W	Grundy	X	X		B	X	X	
Tri-City Lake	L3	27.0	24,51N,12W	Boone	X	X		B	X		
Turtle Rock Lake	L3	2.0	8,48N,7W	Callaway	X	X		B	X		
Twin Borrow Pits	L3	44.0	13,20N,13E	Pemiscot	X	X		B	X		
Twin Lake	L3	49.0	NW NW31,66N,23W	Mercer	X	X		B	X		
Twin Lake Number 1	L3	1.0	8,48N,7W	Callaway	X	X		B	X		
Twin Lake Number 2	L3	1.0	8,48N,7W	Callaway	X	X		B	X		
Twin Lakes	L3	22.9	SW SW22,48N,13W	Boone	X	X		A	X		
Union City Lake	L3	5.0	27,43N,01W	Franklin	X	X		B	X		
Unionville (Old) Lake	L1	13.0	34,66N,19W	Putnam	X	X		A	X	X	
Unionville Reservoir	L1	74.0	27,66N,19W	Putnam	X	X		B	X	X	
Unity Lake Number One	L1	19.0	25,48N,32W	Jackson	X	X		B	X	X	
Unity Lake Number Two	L1	26.0	24,48N,32W	Jackson	X	X		B	X	X	
Unnamed Lake	L3	1.0	16,45N,32W	Cass	X	X		B	X		
Unnamed Lake	L3	6.0	18,47N,31W	Jackson	X	X		B	X		
Unnamed Lake	L3	8.0	15,42N,4W	Franklin	X	X		B	X		
Unnamed Lake	L3	2.0	2,47N,32W	Jackson	X	X		B	X		
Unnamed Lake	L3	6.0	10,38N,32W	Bates	X	X		B	X		
Unnamed Lake	L3	37.4	21,39N,5E	Jefferson	X	X		B	X		
Valle Lake	L3	42.0	31,39N,05E	Jefferson	X	X		A	X		
Van Meter St. Park Lake	L3	8.0	24,52N,22W	Saline	X	X		A	X		
Vandalia Community Lake	L3	35.0	SE35,52N,06W	Audrain	X	X		B	X		
Vandalia Reservoir	L1	28.0	NE NE12,53N,05W	Pike	X	X		B	X	X	
Wahoo Lake	L3	10.0	14,38N,04E	St. Francois	X	X		B	X		
Wakonda Lake	L3	78.0	13,14,60N,06W	Lewis	X	X		A	X		
Walt Disney Lake	L3	19.0	31,57N,18W	Linn	X	X		A	X		
Watkins Mill Lake	L3	87.0	NW 22,53N,30W	Clay	X	X		A	X		
Waukomis Lake	L3	76.0	SW 17,51N,33W	Platte	X	X		A	X		
Weatherby Lake	L3	185.0	SW SE15,51N,34W	Platte	X	X		A	X		
Welch Lake	L3	7.0	2,48N,12W	Boone	X	X		B	X		
Wellsville City Lake	L1	12.0	NW SE 33,50N,06W	Montgomery	X	X		A	X	X	
West Arrowhead Lake	L3	58.0	18,23N,08W	Howell	X	X	X	B	X		
Whispering Valley Lakes	L3	30.0	35,44N,03W	Franklin	X	X		A	X		
Whiteside Lake	L3	23.0	Landgrant01686	Lincoln	X	X		B	X		
Wildwood Lake	L3	17.0	NE 09,48N,32W	Jackson	X	X		B	X		
Willow Brook Lake	L1	53.0	SE NE 04,58N,13W	DeKalb	X	X		B	X	X	
Willow Lake	L3	29.0	27-34,34N,32W	Vernon	X	X		B	X		
Willowwood Lake	L3	45.0	26 & 35,48N,05E	St. Charles	X	X		B	X		
Windsor Ferrington Park Lake	L3	16.0	6,43N,23W	Pettis	X	X		B	X		

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WATER BODY	CLASS	ACRES	LOCATION	COUNTY(IES)	LWP	WWH	CDH	WBC	SCR	DWS	IND
Windy Lake	L3	13.0	6,48N,7W	Callaway	X	X		B	X		
Winegar Lake	L3	8.0	18,43N,13W	Cole	X	X		B	X		
Wing Lake	L3	19.9	NW SW 14, 35N,03E	Washington	X	X		A	X		
Wolf Bayou Mud Bayou	L3	37.0	04,19N,13E	Pemiscot	X	X		B	X		
Wood Lake	L3	8.0	8,57N,12W	Shelby	X	X		B	X		
Worth County Community Lake	L3	17.0	32,65N,32W	Worth	X	X		B	X		
Wyaconda Lake	L1	9.0	NW NW33,65N,09W	Clark	X	X		B	X	X	

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

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 207.020, RSMo 2016, the division rescinds a rule as follows:

13 CSR 70-3.050 Obtaining Information From Providers of Medical Services **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 1, 2021 (46 MoReg 1621). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 50—Hospice Services Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 208.152, RSMo Supp. 2021, and sections 208.153, 208.201, and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-50.010 Hospice Services Program **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 16, 2021 (46 MoReg 1590-1591). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 55—Nurse-Midwife Program**

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under section 208.152, RSMo Supp. 2021, and sections 208.153, 208.201, and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-55.010 MO HealthNet Program Benefits for Nurse-Midwife Services **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 16, 2021 (46 MoReg 1591). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 70—Therapy Program**

ORDER OF RULEMAKING

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

13 CSR 70-70.010 Therapy Program **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2021 (46 MoReg 1621-1622). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON application listed below. A decision is tentatively scheduled for January 21, 2022. This application is available for public inspection at the address shown below.

Date Filed

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

12/07/2021

#5911 HT: New Liberty Hospital District
Liberty (Clay County)
\$2,892,280, Replace Cardiac Cath lab

Any person wishing to request a public hearing for the purpose of commenting on this application must submit a written request to this effect, which must be received by January 12, 2022. All written requests and comments should be sent to—

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102
For additional information contact Alison Dorge at
alison.dorge@health.mo.gov.

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

IN ADDITION

Pursuant to section 226.096, RSMo, regarding the Construction Claims Binding Arbitration Cap for the Missouri Department of Transportation, the Director of Commerce and Insurance is required to calculate the new limit.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 226.096, RSMo, the Construction Claims Binding Arbitration Cap for the Missouri Department of Transportation effective January 1, 2022, was established by the following calculation:

Index Based on 2012 Dollars
Third Quarter 2020 IPD Index 111.490
Third Quarter 2021 IPD Index 116.232

$\text{New 2022 Limit} = 2021 \text{ Limit} \times (2021 \text{ Index}/2020 \text{ Index})$

$469,316 = 450,169 \times (116.232/111.490)$

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

IN ADDITION

Pursuant to section 537.610, RSMo, regarding the Sovereign Immunity Limits for Missouri Public Entities, the Director of Commerce and Insurance is required to calculate the new limit on awards for liability.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 537.610, RSMo, the two (2) new Sovereign Immunity Limits effective January 1, 2022, were established by the following calculations:

Index Based on 2012 Dollars
Third Quarter 2020 IPD Index 111.490
Third Quarter 2021 IPD Index 116.232

$\text{New 2022 Limit} = 2021 \text{ Limit} \times (2021 \text{ Index}/2020 \text{ Index})$

For all claims arising out of a single accident or occurrence:
 $3,065,952 = 2,940,868 \times (116.232/111.490)$

For any one (1) person in a single accident or occurrence:
 $459,893 = 441,130 \times (116.232/111.490)$

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

IN ADDITION

Pursuant to section 105.711, RSMo, regarding the State Legal Expense Fund, the Director of Commerce and Insurance is required to calculate the new limit.

Using Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 105.711, RSMo, the State Legal Expense Fund Limit effective January 1, 2022, was established by the following calculation:

Index Based on 2012 Dollars
Third Quarter 2020 IPD Index 111.490
Third Quarter 2021 IPD Index 116.232

$\text{New 2022 Limit} = 2021 \text{ Limit} \times (2021 \text{ Index}/2020 \text{ Index})$

$480,085 = 460,499 \times (116.232/111.490)$

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

**Division 2231—Division of Professional Registration
Chapter 2—Designation of License Renewal Dates and
Related Renewal Information**

NON-SUBSTANTIVE CHANGE REQUEST

The Division of Professional Registration requests that the secretary of state make a non-substantive change to the following rule in accordance with the provisions of section 536.032, RSMo. The department reference in subsection (1)(C) needs to be updated. The language currently reads Department of Insurance, Financial Institutions and Professional Registration but should read Department of Commerce and Insurance.

**20 CSR 2231-2.010 Designation of License Renewal Dates and
Related Renewal Information**

This change will appear in the January 29, 2022, update to the *Code
of State Regulations*.