13CSR 402.250
Proposed Rule

Date entered = Fri, Aug 19 2016,

Register filing deadline = Thu, Sep 01 2016

Register publication date = Mon, Oct 03 2016

Register volume = 41

Register number = 19

Register link = current/2016/v41n19/v41n19.asp

Last day of comments = Wed, Nov 02 2016

First day to file order with JCAR = Thu, Nov 03 2016

Last day to file order with JCAR (59th day) = Fri, Dec 30 2016

90 Days = Tue, Jan 31 2017

JASON KANDER
MISSOURI SECRETARY OF STATE

ADMINISTRATIVE RULES

RULEMAKING TIMELINE CALCULATOR

This rulemaking timeline calculator is intended only as an aid in calculating rule filing dates and deadlines and is not a substitute for the user independently checking the accuracy of the dates and deadlines. The user is ultimately responsible for ensuring such dates and deadlines are accurate and correct.

Instructions:

1. Select the type of rulemaking from the drop down box below.
2. Use the calendar to select the date filed.
3. Then press the compute dates button.
4. Calculated dates and other information will appear below.

Select type of rulemaking: Proposed rulemaking

Enter date to be filed with Administrative Rules Division, Office of the Secretary of State:
8/19/2016

< August 2016 >

SUN	MON	TUE	WED	THU	FRI	SAT
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

☐ *Override minimum thirty-day comment period. Use only when there is a public hearing or longer comment period.*

Compute dates | Clear dates

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Contact Us:
600 West Main Street
Jefferson City, MO 65101
Main Office: (573) 751-4936
info@sos.mo.gov
Branch Offices

Missouri Department of
SOCIAL SERVICES
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JEREMIAH W. (JAY) NIXON, GOVERNOR • **BRIAN KINKADE, DIRECTOR**

JULIE GIBSON, DIRECTOR
FAMILY SUPPORT DIVISION
PO BOX 2320 JEFFERSON CITY, MO • 65102-2320
WWW.DSS.MO.GOV • 573-751-3221• 573-751-0507

August 19, 2016

Cindy Kadlec, Director
Joint Committee on Administrative Rules
Capitol Building, Room 8-B
Jefferson City, MO 65101

RE: Proposed Rule - 13 CSR 40-2.250

Dear Ms. Kadlec:

Attached is an accurate and complete copy of the proposed rescission pertaining to the Family Support Division, Department of Social Services. It is anticipated that this proposed rescission will be filed with the Secretary of State on or after August 19, 2016.

Statutory Authority: section 207.022, RSMo 2014 and 208.040.5(6) RSMo 2015

Sincerely,

Julie Gibson, Director
Family Support Division

Attachments

Jason Kander
Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

RECEIVED
AUG 19 2016
SECRETARY OF STATE
ADMINISTRATIVE RULES

COPY

Rule Number 13 CSR 40-2.250

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:
Content Sarah Madden Phone 522-8368 FAX 522-6092
Email address Sarah.Madden@dss.mo.gov

Data Entry Debbie Lindquist Phone 526-0414 FAX 522-6092
Email address Deborah.Lindquist@dss.mo.gov

Interagency mailing address 221 W High, Broadway Bldg., Jefferson City, Mo 65109

TYPE OF RULEMAKING ACTION TO BE TAKEN
☐ Emergency rulemaking, include effective date
☒ Proposed Rulemaking
☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration
☐ Request for Non-Substantive Change
☐ Statement of Actual Cost
☐ Order of Rulemaking
Effective Date for the Order _____
☐ Statutory 30 days OR Specific date _____
Does the Order of Rulemaking contain changes to the rule text? ☐ NO
☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON
AUG 19 2016
ADMINISTRATIVE RULES

Missouri Department of
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Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

***Re: 13 CSR* 40-2.250 – Resource Eligibility Standards for Title XIX Under the Poverty Level**

Dear Secretary Kander,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed rescission lawfully submitted by the Family Support Division, Department of Social Services.

The Family Support Division, Department of Social Services has determined and hereby certifies that this proposed rescission will not have an economic impact on small businesses. The Family Support Division further certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017, RSMo 2000, that the proposed rescission does not constitute a taking of real property under relevant state and federal law, and the proposed rescission conforms to the requirements of 1.310, RSMo Supp. 2009, regarding user fees.

The Family Support Division, Department of Social Services has determined and hereby also certifies that this proposed rescission complies with the small business requirements of 1.310, RSMo, in that it does not have an adverse impact on small businesses consisting of fewer than fifty full or part-time employees or it is necessary to protect the life, health, or safety of the public, or that this proposed rescission complies with 1.310, RSMo, by exempting any small business consisting of fewer than fifty full or part-time employees from its coverage, by implementing a federal mandate, or by implementing a federal program administered by the state or an act of the general assembly.

Statutory Authority: sections 208.026 & 207.022, RSMo

If there are any questions regarding the content of this proposed rescission, please contact:

Sarah G. Madden
221 West High Street, Room 230
Jefferson City, MO 65102
573-526-0414
Sarah.Madden@dss.mo.gov

Sincerely,

Julie Gibson, Director
Family Support Division

AFFIDAVIT

PUBLIC COST

State of MISSOURI)
) **ss.**
County of COLE)

I, Julie Gibson, Director, Family Support Division, Department of Services, first being duly sworn, on my oath, state that it is my opinion that the attached fiscal note for the proposed rescission,13 CSR 40-2.250 is a reasonably accurate estimate.

Julie Gibson, Director
Family Support Division

Subscribed and sworn to before me this 18th day of August. I am commissioned as a Notary Public within the County of Moniteau, State of Missouri, and my commission expires February 28, 2019.

Marla Diane Knipp
Notary Public
Marla Diane Knipp

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

MARLA DIANE KNIPP
My Commission Expires
February 28, 2019
Moniteau County
Commission #15148729

RECEIVED
AUG 19 2016
SECRETARY OF STATE
ADMINISTRATIVE RULES

Title 13 – DEPARTMENT OF SOCIAL SERVICES
Division 40 – Family Support Division
Chapter 2 – Income Maintenance

PROPOSED RECISSION

COPY

13 CSR 40-2.250: Resource Eligibility Standards for Title XIX Under the Poverty Level. This rule establishes resource eligibility standards fir Title XIX for pregnant women and children whose family income is less than one hundred percent of the federal poverty level per House Bill 518 which enacted section 208.151.1(12) RSMo.

PURPOSE: This rule is being rescinded because it is in violation of the Patient Protection and Affordable Care Act (PPACA) of 2010.

AUTHORITY: section 207.020, RSMo 1986. Original rule filed Jan. 5, 1988, effective June 11, 1988.*

**Original authority: 207.020, RSMo 1945, amended 1961, 1965, 1977, 1981, 1982, 1986.*

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Social Services, Family Support Division, Julie Gibson, Director, PO Box 2320, 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.*

JOINT COMMITTEE ON
AUG 19 2016
ADMINISTRATIVE RULES