

John R. Ashcroft

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

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OCT 05 2021

SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 13 CSR 40-7.010

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

Name of person to call with questions about this rule:

Content Sharie Hahn Phone (573) 751-3229 FAX (573) 522-6092

Email address Sharie.L.Hahn@dss.mo.gov

Data Entry Caleb Neeley Phone (573) 751-5661 FAX (573) 522-6092

Email address Caleb.Neeley@dss.mo.gov

Interagency mailing address DLS, Broadway Bldg, 221 W High Street, Room 230

TYPE OF RULEMAKING ACTION TO BE TAKEN

Emergency Rulemaking __ Rule __ Amendment __ Rescission __ Termination
Effective Date for the Emergency _____

Proposed Rulemaking __ Rule X Amendment __ Rescission

Rule Action Notice In Addition Rule Under Consideration

Request for Non-Substantive Change

Statement of Actual Cost

Order of Rulemaking __ Withdrawal __ Adopt __ Amendment __ Rescission
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

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By JCAR at 4:24 pm, Oct 05, 2021

STATE CAPITOL
201 W. CAPITOL AVENUE, ROOM 216
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222
WWW.GOVERNOR.MO.GOV

Michael L. Parson

GOVERNOR
STATE OF MISSOURI

October 4, 2021

Sharie Hahn
General Counsel
Missouri Department of Social Services
Broadway State Office Building
Jefferson City, MO 65102

Dear Sharie:

This office has received your Emergency and Proposed Rulemaking for the following regulations:

- 13 CSR 40-2.015 Authorized Representatives
- 13 CSR 40-7.010 Scope and Definitions
- 13 CSR 40-7.050 Presumptive Eligibility
- 13 CSR 70-90.010 Home health-Care Services

Executive Order 17-03 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review, we approve the submission to JCAR and the Secretary of State.

Sincerely,

A handwritten signature in black ink, appearing to read "Caroline M. Coulter".

Caroline M. Coulter
Deputy General Counsel

 *Missouri Department of*
SOCIAL SERVICES
Your Potential. Our Support.

MICHAEL L. PARSON, GOVERNOR • JENNIFER TIDBALL, ACTING DIRECTOR

SHARIE L. HAHN, DIRECTOR
DIVISION OF LEGAL SERVICES

P.O. BOX 1527 • BROADWAY STATE OFFICE BUILDING • JEFFERSON CITY, MO 65102-1527
WWW.DSS.MO.GOV • 573-751-3229 • 573-522-6092 FAX

October 5, 2021

John R. Ashcroft
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

RE: 13 CSR 40-7.010 Scope and Definitions

Dear Secretary of State Ashcroft:

CERTIFICATION OF ADMINISTRATIVE RULE

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

The Family Support Division, Department of Social Services 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 rulemaking does not constitute a taking of real property under relevant state and federal law.

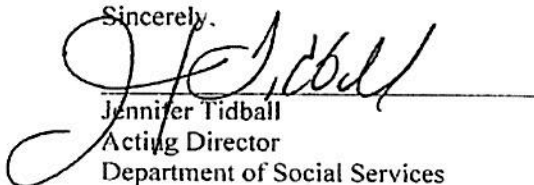
The Family Support Division, Department of Social Services has determined and hereby also certifies that if the proposed rulemaking does affect small business pursuant to sections 536.300 to 536.310, RSMo, a small business impact statement has been filed as required by those sections. If no small business impact statement has been filed the proposed rulemaking either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: sections 207.022, and 660.017, RSMo.

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

Sharie Hahn
221 West High Street, Room 230
Jefferson City, MO 65102
573-751-3229
Sharie.L.Hahn@dss.mo.gov

Sincerely,


Jennifer Tidball
Acting Director
Department of Social Services

Attachments

AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES

TDD / TTY: 800-735-2966

RELAY MISSOURI: 711



MICHAEL L. PARSON, GOVERNOR • JENNIFER TIDBALL, ACTING DIRECTOR

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October 5, 2021

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

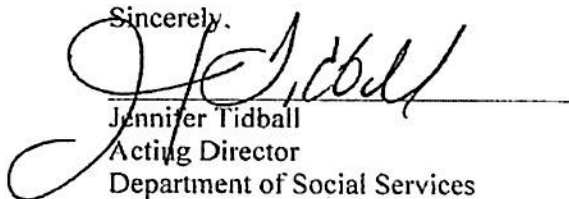
Dear Ms. Schappe:

RE: 13 CSR 40-7.010 Scope and Definitions

Attached is an accurate and complete copy of the proposed rulemaking regarding the amendment of 13 CSR 40-7.010. This proposed amendment will be filed concurrently with the Secretary of State.

Statutory authority: sections 207.022, and 660.017, RSMo.

Sincerely,



Jennifer Tidball
Acting Director
Department of Social Services

Attachments

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TDD / TTY: 800-735-2966

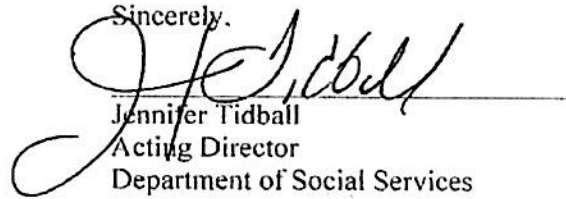
RELAY MISSOURI: 711

Missouri Department of Social Services is an Equal Opportunity Employer/Program.

**DECLARATION
OF PUBLIC COST**

I, Jennifer Tidball, Acting Director of the Department of Social Services, do declare that it is my opinion that the cost of the proposed amendment to 13 CSR 40-7.010, is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

Sincerely,



Jennifer Tidball
Acting Director
Department of Social Services

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SECRETARY OF STATE
ADMINISTRATIVE RULES

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 7—Family Healthcare**

PROPOSED AMENDMENT

13 CSR 40-7.010. Scope and Definitions. The division is amending subsection (1)(K).

PURPOSE: This proposed amendment adds the Adult Expansion Group to the list of populations that fall under Family MO HealthNet programs, pursuant to Amendment 2, which was ratified on August 4, 2020, and which created Article IV, Section 36(c) of the Missouri Constitution.

(1) Definitions.

(K) “Family Mo HealthNet programs” means MO HealthNet benefits provided to participants under the MO HealthNet for Families (MHF) program, **the Adult Expansion Group (AEG) pursuant to Article IV, Section 36(c) of the Missouri Constitution**, MO HealthNet for Kids (MHK) program, MO HealthNet for Pregnant Women (MPW) program, and Uninsured Woman's Health Services (UWHS) program. Family MO HealthNet programs also include presumptive eligibility for any of the above programs.

AUTHORITY: sections 207.022 and 660.017, RSMo[2016]. Original rule filed July 31, 2013, effective Feb. 28, 2014. Amended: Filed Oct. 1, 2018, effective May 30, 2019. Amended: Filed January 5, 2021. Amended: Filed October 5, 2021.*

**Original authority: 207.022, RSMo 2014 and 660.017, RSMo 1993, amended 1995.*

PUBLIC COST: This proposed rule will not cost state agencies more than five hundred dollars (\$500) in the aggregate. The overall implementation of Article IV, Section 36(c) of the Missouri Constitution, pursuant to which the division is amending this regulation, is estimated to cost 2.71 billion dollars (\$2,710,000,000), which includes 258.5 million dollars (\$258,000,000) in state funding and 2.45 billion dollars (\$2,450,000,000) in federal financial participation annually starting in fiscal year 2022.

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 amendment with the Department of Social Services, Division of Legal Services-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.*

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By JCAR at 4:25 pm, Oct 05, 2021