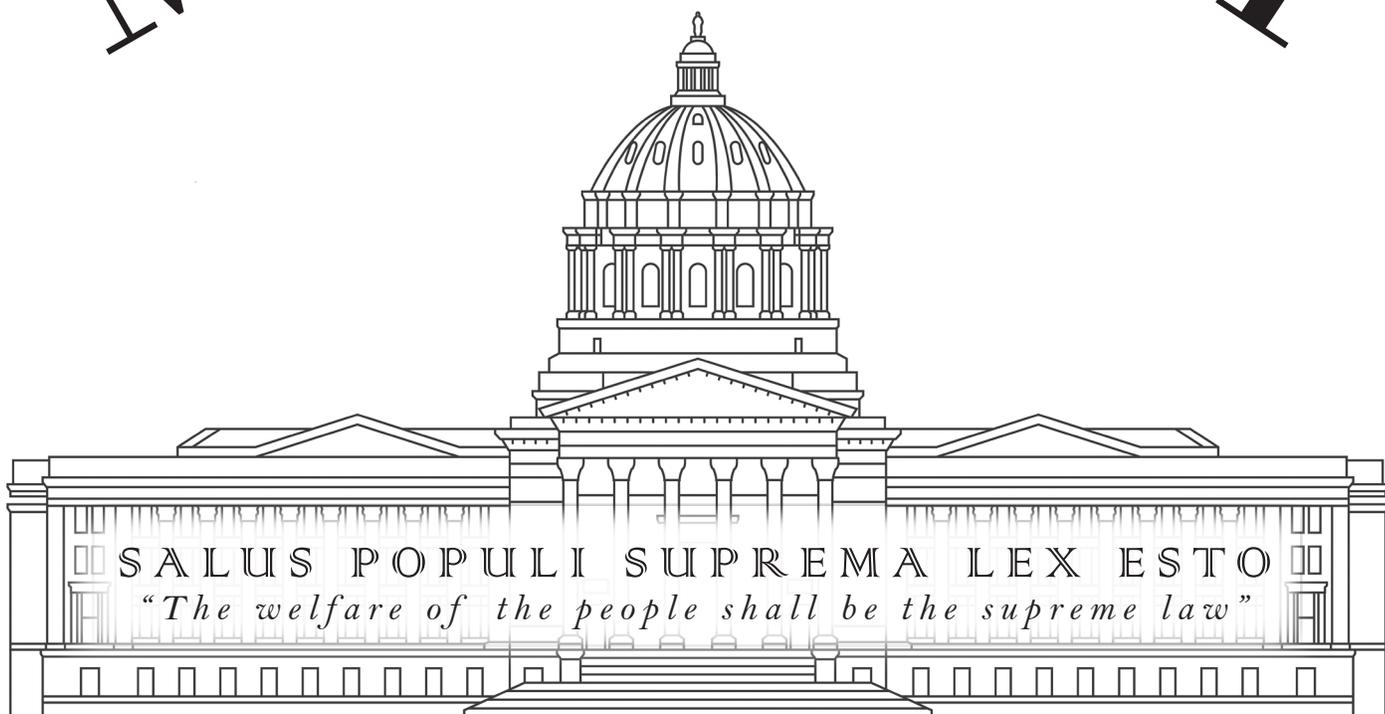


Volume 51, Number 3
Pages 183–286

February 2, 2026

MISSOURI



REGISTER

Denny Hoskins  Secretary of State

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

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

TITLE 9 – DEPARTMENT OF MENTAL HEALTH

Division 30 – Certification Standards

Chapter 3 – Substance Use Disorder Prevention and Treatment Programs

ORDER OF RULEMAKING

By the authority vested in the Director of the Department of Mental Health under sections 630.192 to 630.198, RSMo 2016, the department amends a rule as follows:

9 CSR 30-3.132 Opioid Treatment Programs is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1318-1325). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES

Division 70 – MO HealthNet Division

Chapter 10 – Nursing Home Program

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services,

MO HealthNet Division, under sections 198.401, 198.403, 198.406, 198.409, 198.412, 198.416, 198.418, 198.421, 198.424, 198.427, 198.431, 198.433, 198.436, 208.159, and 208.201, RSMo 2016, and sections 198.439 and 208.153, RSMo Supp. 2025, the division amends a rule as follows:

13 CSR 70-10.110 Nursing Facility Reimbursement Allowance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2025 (50 MoReg 1289-1291). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 4240 – Public Service Commission

Chapter 13 – Service and Billing Practices for Residential Customers of Electric, Gas, Sewer, and Water Utilities

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250 and 393.140, RSMo 2016, and sections 393.109 and 393.130, RSMo Supp. 2025, the commission amends a rule as follows:

20 CSR 4240-13.055 Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2025 (50 MoReg 1376-1378). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended October 31, 2025, and the commission held a public hearing on the proposed amendment on November 5, 2025. The commission received four (4) written comments and four (4) comments at the hearing. All the comments were generally in support of the proposed amendment with a few suggested changes.

COMMENT #1: J. Scott Stacey on behalf of the staff of the commission filed written comments and commented at the hearing in support of the proposed amendment. Staff noted that the proposed amendments were necessary as a result of Senate Bill No. 4 (truly agreed to and finally passed on March 13, 2025, signed by Governor Kehoe on April 9, 2025, and effective August 28, 2025). Initially in their written comments, staff suggested the deletion of a portion of paragraph (14)

(F)4. and all of subsection (14)(G) because those amendments had been inadvertently left out of the proposed amendment. However, in their hearing comments, staff withdrew those proposed changes since they were not published for comment. At the hearing, staff also responded to the comments of others as stated below.

RESPONSE: The commission agrees that these portions of the rule should not be deleted in this rulemaking since the deletion was not published for comment. The commission will consider these proposed changes for future amendments to this rule. No changes were made as a result of these comments.

COMMENT #2: Anna Kathryn Martin filed written comments and, along with Geoff Marke, commented at the hearing on behalf of the Office of the Public Counsel (OPC). OPC recommended removal of the portion of the rule that discusses utilities conducting income audits or move that to the section regarding "Payment Agreements"; changing the reference to one hundred fifty percent (150%) of the federal poverty level to sixty percent (60%) of the state median income to align with section 660.100, RSMo; removing the portions of the rule in paragraph (14)(F)4. and subsection (14)(G) as originally proposed by staff; and revising the rule so that it includes the hot weather portion of section 393.108, RSMo, thus making this the "Extreme Temperature Maintenance of Service" rule. Additionally, OPC suggested a few minor edits to make the language of the rule consistent and remove outdated language. Staff stated it supported the minor edits of OPC but was opposed to the other edits because they were major changes to the rule that had not been published for comment. RESPONSE: The commission agrees with staff and will not make the major unpublished changes that OPC suggests. The commission will also not make the minor language changes in subsections (3)(A) and (3)(D) that OPC suggests because the relevant subsections were not published in the commission's notice of rulemaking. The other nonsubstantive changes suggested by OPC were either already made in the proposed amendment as published or were unnecessary.

COMMENT #3: John Coffman filed written comments and commented at the hearing on behalf of Consumers Council of Missouri (CCM). CCM generally supported the proposed amendment but recommended the time of day be removed from the rule in section (5). CCM fears that by having the time of day in the rule, the hours between 9:00 p.m. and 6:00 a.m. will not be considered when assessing the cold temperatures forecasted. Staff commented that it disagreed with removing the time from the rule because that language is in the statute. David Yonce on behalf of Spire Missouri Inc. also responded at the hearing to CCM's comment regarding the times in the rule. Spire assured the commission that as a utility, it read the statute and the rule as meaning that the times of day noted were the time period within which the utilities must check the forecast for the entire following seventy-two (72) hours. Spire stated that if any forecast for the following seventy-two (72) hours was above or below the temperatures set out in the statute, then disconnection was prohibited. Spire indicated that it did not read the requirement in the way CCM was suggesting. CCM also commented about concerns with the National Weather Service term of "heat index" if the commission were to add a hot weather rule to the rule as proposed by OPC. RESPONSE: The commission thanks CCM for their comments.

However, because the proposed amendment language mirrors the statutory language, and because the utilities correctly interpret that language to ensure customers are not disconnected for the full seventy-two (72) hour period, the commission finds no change to the proposed amendment is necessary.

COMMENT #4: David Yonce commented at the hearing on behalf of Spire Missouri Inc. Spire explained how it interprets the requirement that customers not be disconnected when temperatures drop below specific temperature during the entire seventy-two (72) hour period.

RESPONSE: The commission thanks Spire for its comments and explanation. No changes were made as a result of this comment.

COMMENT #5: Roger W. Steiner on behalf of Evergy Missouri Metro and Evergy Missouri West (collectively referred to as "Evergy") made a written comment. Evergy commented that it was generally supportive of the proposed amendment. Evergy recommended one change to clarify what is meant by "adjacent service area" in section (7). Evergy suggested that if the commission intends to provide requirements for customers who move to a service area of an affiliated utility, the commission change the language to "service area of an affiliate."

RESPONSE: The commission thanks Evergy for its comments and explanation. However, the commission does not find that clarification is necessary and no change was made as a result of this comment.