

**TITLE 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 10 —Office of the Director**  
**Chapter 4 —Coordinated Health Care Services**  
**PROPOSED RULE**

**19 CSR 10-4.060 Substance Use Disorder Grant Program**

*PURPOSE: This rule establishes guidelines for implementing the Substance Use Disorder (SUD) Grant Program that will increase access to evidence-based low-barrier drug addiction treatment, support overdose prevention education, and support job placement, housing, and counseling for those with substance use disorders.*

- (1) For the purposes of this regulation, the following definitions shall be used in the interpretation and enforcement of this rule:
- (A) “Applicant” is an agency or not-for-profit organization applying for a grant through the Substance Use Disorder (SUD) Grant Program that meets the eligibility requirements set forth in this rule and the notice of grant opportunity (NGO).
  - (B) “Department” is the Missouri Department of Health and Senior Services.
  - (C) “Disparate population” is a group of people who experience preventable differences in health outcomes that are worse than the general population. These differences, called health disparities, can be caused by a variety of factors, including, race or ethnicity, gender, sexual orientation, age, disability or mental health status, income, geographic location, and language.
  - (D) “Evidence-based” is in accordance with ethical, current, peer-reviewed, systematically derived, research-based evidence about the most effective methods of preventing and reducing substance use disorder (SUD).
  - (E) “Grant agreement” is the written instrument between the Department and grantee that sets forth the terms and conditions of participation in the SUD Grant Program, including all written and executed amendments.
  - (F) “Grant agreement period” is the time frame of the grant agreement defined by the notice of grant opportunity (NGO).
  - (G) “Grantee” is an agency or organization that has a grant agreement signed by the Department.
  - (H) “Notice of Grant Opportunity” (NGO) is the document that outlines the details, requirements, and processes for applying for grants from the SUD grant program.
  - (I) “Physical presence” refers to an office or staff member located in Missouri. Grantees are allowed to conduct grant activities from another state but must maintain agency representation by having an office or staff present in Missouri.
  - (J) “Substance Use Disorder Grant Program” or “SUD Grant Program” is the program established within the Department to administer the Substance Use Disorder Grant Program funds.
  - (K) “Substance use disorder” (SUD) is a treatable mental disorder that affects a person's brain and behavior, leading to their inability to control their use of substances like legal or illegal drugs, alcohol, or medications.
- (2) SUD Grant Program.

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By Administrative Rules at 11:18 am, Dec 27, 2024

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By JCAR at 10:58 am, Dec 27, 2024

- (A) The SUD Grant Program is a state-authorized program funded by the Missouri Veterans, Health, and Community Reinvestment Fund, which consists of taxes and fees from retail sales of non-medical marijuana sold to consumers at licensed marijuana facilities within Missouri.
- (B) The purpose of the SUD Grant Program is to provide grants to government or community-based agencies and not-for-profit organizations to increase access to evidence-based low-barrier drug addiction treatment, prioritizing medically proven treatment and overdose prevention and reversal methods and public or private treatment options with an emphasis on reintegrating recipients into their local communities, to support overdose prevention education, and to support job placement, housing, and counseling for people with SUD. The Department may offer one or more NGOs each addressing a specific strategy related to the program purpose each fiscal year.
- (C) Funding amount. The Department shall determine the amount of funding allocated for each grant based on the nature and scope of the project(s) needed and funding available to the Department by appropriation.
- (D) Number of awards. The maximum number of awards is contingent upon the amount of the SUD Grant Program appropriations for each state fiscal year and the length of the grant agreement period (e.g. 1 to 3 years).
- (E) The SUD Grant Program shall distribute available funding through grant awards in at least one of the following areas:
  - 1. To develop new or improve, enhance, or increase evidence-based SUD recovery support services;
  - 2. To develop new or improve, enhance, or increase evidence-based SUD prevention services and interventions; or
  - 3. To develop new or improve, enhance, or increase quality, evidence-based SUD treatment services.

(3) Application.

(A) Eligible applicants.

- 1. Eligible applicants shall be a community-based, non-profit organization or local or state government that engages in at least one of the following activities:
  - A. Implements projects related to SUD prevention, treatment, or recovery support; or
  - B. Provides services related to SUD prevention, treatment, or recovery support.
- 2. Eligible applicants shall have or establish a physical presence in the state of Missouri. Eligible applicants shall submit a completed application in response to the NGO with a budget that does not exceed the allotted amount for each budget year of the grant agreement.
- 3. Eligible applicants must be registered as a vendor with the State of Missouri through the current procurement system.
- 4. The Department may reject applications submitted by organizations or individuals that have a contractual, corporate, organizational, or business

responsibility to promote or assist in promoting the use or sale of alcohol or tobacco products.

(B) Solicitation.

1. The Department will solicit applications for grants by preparing one or more NGOs.
  - A. Applicants shall have a minimum of thirty (30) days from the date of posting to respond to the NGO(s) posted on the DHSS website.

(C) Application format and components.

1. The specific NGO(s) shall contain the guidelines for providing evidence-based recovery, prevention, or treatment projects addressing SUD in Missouri.
2. If grantees seek federal funds to support their project, they may use their SUD Grant Program grant award as a local match if required by federal notice of funding opportunities.
  - A. Grantees are required to notify the Department of any instance where SUD Grant Program funds are used as a match before applying for the Federal Grant and after receiving the Federal Grant.

(D) Applicant requirements.

1. Applicants shall follow all application instructions provided in the NGO regarding the format and content of the application.
  - A. The applicant is solely responsible for ensuring that the applicant's entire application is completed by the deadline specified in the NGO.
  - B. The applicant shall retain proof of timely submission.
  - C. The Department will not contact applicants in the case of incomplete applications or untimely submissions.

(E) Submission.

1. Initial grants.
  - A. Applicants shall submit an application for an initial grant via the mechanism set forth in the NGO.
  - B. Applicants shall submit an application for a grant by the date set forth in the NGO.

(4) Evaluation and Selection.

(A) Evaluation for initial grants.

1. Preliminary screening.
  - A. The Department will screen submitted applications to determine if they were submitted by the deadline specified in the NGO and are complete pursuant to these regulations and the NGO.
  - B. The Department will exclude from the selection process any application that is missing information, does not meet the NGO requirements, or is received after the deadline.
2. Evaluation criteria.

- A. The Department will evaluate grant applications that meet preliminary screening criteria based on the criteria of these regulations and specified information in the NGO.
  - i. The criteria shall include the following:
    - a. The applicant's organizational, budget management and administration, programmatic, and collaboration experience and capacity to implement the proposed project;
    - b. The applicant's understanding of and ability to communicate and meet the needs of the specified disparate population;
    - c. The applicant's project purpose, goal(s), objectives, use of evidence-based services and interventions, specific measurable improvement on the specified population, and timeline;
    - d. The applicant's current or planned partnerships and collaborations with stakeholders that may contribute to the proposed project;
    - e. An evaluation plan for the proposed project; and
    - f. The extent to which the applicant's proposed budget is clear and justified.
    - g. Any other criteria the Department deems relevant, as specified in the NGO.

(B) Ranking of applicants.

- 1. The Department will weigh the importance of each evaluation criterion using a point-based scoring system. The criteria weighing shall be provided in the NGO.
- 2. Using the evaluation criteria, the Department will evaluate each application against each applicable criterion and assign points signifying the degree to which the application meets each criterion up to the maximum number of points specified in the NGO.
- 3. Each application will receive a score based on the total points assigned to the application.
- 4. The Department shall numerically rank each application using their score for each NGO.
- 5. Rejection. The Department may reject any application that fails to meet the content specifications set in this rule and specified NGO.
  - A. Rejection of an application for failure to meet the content specifications is not subject to appeal.

(C) Timeline. The Department will set deadlines in the NGO for application submissions, verification of award selection, agreement execution, and project implementation.

(D) Award notification. The Department will notify all applicants by the deadline stated in the NGO regarding grant award decisions. Selected applicants must submit the signed grant agreement by the deadline specified in the NGO. The

Department reserves the right to select the next highest-ranking applicant if the selected applicant does not meet the deadline.

(E) Grant agreement period. The maximum grant agreement period is three (3) years (thirty-six (36) months). The amount of funding shall correspond to the NGO and type of project proposed.

1. The grant agreement period shall commence upon the execution of the grant agreement, which requires the signature of the Department to be considered executed.
2. Awardees shall complete project implementation within the timeline identified within the NGO.

(F) Grant Agreement. The Department shall make all grant awards through a grant agreement between the Department and each applicant selected to receive a grant.

(5) Restrictions.

(A) Costs not specifically included in the original budget submission shall be submitted to the Department for prior approval before being expended.

(B) Grantees shall maintain fiscal records and provide information to the Department as required within the NGO and the grant agreement for purposes of project and fiscal monitoring and audits and, at the request of the Department, shall appear before the Department to respond to any questions about the use of grant monies.

(C) The Department may terminate any grant if the grantee does not meet the basic performance requirements specified by the grant agreement.

(D) If any prohibited activities are conducted, the Department may terminate the grant and recover funds previously paid to the grantee. Additionally, awardees may not be considered for future grant awards.

(6) Distribution of Grant Funds.

(A) Payments. Participation in the SUD Grant Program will consist of payments directly to an awardee as a vendor with the State of Missouri, pursuant to a grant agreement.

(B) Retraction or reduction of payments. The Department is not bound by any award estimates in the NGO. After making a finding that a grantee has failed to perform or failed to conform to grant agreement conditions or regulation requirements, the Department may retract the grant amount of the awarded grantee. If funds have been disbursed, the grantee shall issue reimbursement to the Department within thirty (30) days of notification of the retraction or reduction.

(C) Grantees shall return any unexpended balance of the award to the Department at the end of the grant agreement period unless the awardee and the Department sign an amended grant agreement.

(7) Reporting Requirements.

(A) Grantees shall submit reports to the Department by the deadlines and in the format specified in the NGO and grant agreement or as otherwise communicated to the grantee in writing by the Department.

1. Grantees who do not comply with this requirement may have to return part or all of their award and may not be considered for additional grant awards.
  - (B) Delinquent Reports. Grantees with any required reports deemed to be delinquent may be placed on a performance plan and may be ineligible for participation in future grant opportunities or subsequent payment of funds until the report is submitted.
- (8) Recipient Meetings.
  - (A) Grantees shall meet with the Department as set forth in the NGO and grant agreement or as otherwise communicated to the grantee in writing by the Department.
- (9) Additional Grant Agreement Requirements. To receive funding under the SUD Grant Program, grantees must abide by all grant agreement terms and conditions.

*AUTHORITY: Article XIV, section 2.6 (2), 192.006, RSMo (1993). Proposed rule filed Month Day, 2024, effective [date].*

*PUBLIC COST: This proposed rule is estimated to cost state agencies or political subdivisions at least \$6,196,819 annually.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred (\$500) dollars annually.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of, or in opposition to, this proposed rule with the Chief of the Bureau of Community Health and Wellness, Missouri Department of Health and Senior Services, P.O. Box 570, Jefferson City, MO 65102, or via email at [SUDgrantprogram@health.mo.gov](mailto:SUDgrantprogram@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.*