

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 15—Division of Senior and Disability Services**  
**Chapter 4—Older Americans Act**

**PROPOSED AMENDMENT**

**19 CSR 15-4.150 Waivers.** The department is amending sections (1) and (2).

*PURPOSE: This amendment updates terminology and legal authority.*

*PURPOSE: This rule allows the area agency **on aging** to request a waiver from meeting specific requirements and sets forth procedures to be followed.*

(1) An area agency **on aging** shall request a waiver if unable to comply with a specific division requirement. The request shall:

(A) *[b]*Be in writing~~[,shall]~~;

(B) *[b]*Be signed by the chairperson of the governing body~~[,]~~ **and the director of the area agency on aging**~~[ shall]~~;

(C) *[s]*State the requirement for which a waiver is requested~~[,]~~; and ~~[shall]~~

(D) *[i]*Include supportive documentation that explains why the requirement cannot be met, a description of the area agency~~[ 's]~~ **on aging's** proposed alternative for meeting the requirement, and an explanation of why the proposed alternative is most applicable for the area agency~~[ 's]~~ **on aging's** situation.

(2) Public Hearing for Waivers for Priority Services.

(A) Prior to submitting a waiver request for a priority service, the area agency **on aging** shall conduct, at a minimum, one (1) public hearing on the content of a proposed waiver. The hearing shall be scheduled at a convenient time and location to ensure maximum attendance by interested parties, representatives of the governing body and advisory council to the area agency **on aging**, public officials and ~~[elderly persons]~~**older adults**.

(C) In addition, notice of the public hearing shall be provided to service providers, organizations of ~~[the elderly]~~**older adults**, public officials and other public and private agencies in the planning and service area.

(D) Records of the public hearings held shall be on file at the area agency **on aging** office and shall be submitted to the division with the waiver request. The records shall include the following:

*AUTHORITY: section[660.050] **192.2000**, RSMo [Supp. 1999] **2016**. \* This rule was previously filed as 13 CSR 15-6.100 and 13 CSR 15-4.150. Original rule filed Jan. 6, 1986, effective April 30, 1986. Amended: Filed Aug. 28, 2000, effective March 30, 2001. Moved to 19 CSR 15-4.150, effective Aug. 28, 2001.*

*\*Original authority: 660.050, RSMo 1984, amended 1988, 1992, 1993, 1994, 1995.*

*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 Missouri Department of Health and Senior Services, Division of Senior and Disability Services, Melanie Highland, Division Director, PO Box 570, Jefferson City, MO 65102-0570. Telephone: (573) 526-3626. Email: [DSDSDirectorsOffice@health.mo.gov](mailto:DSDSDirectorsOffice@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.*