

TITLE 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30-Division of Regulation and Licensure
Chapter 110- Prescribed Pediatric Extended Care Facilities

PROPOSED RULE

19 CSR 30-110.020 Prescribed Pediatric Extended Care Facilities Licensure Management

PURPOSE: This rule describes the licensure, inspection, plan of correction, and variance processes.

PUBLISHER'S NOTE: The secretary of state has determined that publication of the entire text of the material that is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Initial Application for License

- (A) Persons desiring to receive a license to operate a PPEC Facility in the state of Missouri shall file a written Application to Operate a Prescribed Pediatric Extended Care Facility, adopted 2025, and incorporated by reference in this rule as published by the Missouri Department of Health and Senior Services, PO Box 570, Jefferson City, MO 65102 and available by the department at <https://health.mo.gov>. This rule does not incorporate any subsequent amendments or additions.
- (B) If the applicant has an active License to Operate a Group Child Care Home or Child Care Center for the location that the applicant is applying for PPEC licensure, the applicant shall include:
 - 1. A copy of the License to Operate a Group Child Care Home or Child Care Center;
 - 2. The most recent fire inspection report;
 - 3. The most recent sanitation inspection report; and, if applicable:
 - 4. The terms of any discipline applicable to the License to Operate a Group Child Care Home or Child Care Center, and
 - 5. Copies of any variances granted by DESE to regulations under 5 CSR 25.
- (C) If the applicant does not have an active License to Operate a Group Child Care Home or Child Care Center, the applicant shall include evidence of a pending application for said license.
- (D) The applicant shall include a chart or description of the lines of administrative authority.
- (E) The application shall include confirmation that the applicant can provide multidisciplinary services to include skilled nursing, personal care, speech, physical, and occupational therapy services.
- (F) Upon receipt of a complete application, the department will initiate the initial licensure process.
- (G) If the applicant does not complete the initial licensure process within six (6) months, the application shall be void and another application may be filed.

- (H) No license shall be granted until the applicant has provided proof of compliance with all rules within this chapter.
 - (I) Once granted, the Prescribed Pediatric Extended Care Facility license shall be posted in a public area of the facility.
 - (J) The license shall not be transferable and shall apply only to the person and address shown on the license.
 - (K) The department will not accept an application for Prescribed Pediatric Extended Care Facility licensure for a period of twelve (12) months after revocation or denial of the facility license.
 - (L) The department will not accept an application for Prescribed Pediatric Extended Care licensure from a provider whose License to Operate a Group Child Care Home or Child Care Center is suspended or pending proposed revocation.
- (2) Limitations on Facility Location and Operation
- (A) The PPEC shall be located within thirty (30) minutes or twenty (20) miles, whichever is greater, from a licensed hospital with an emergency department.
 - (B) The PPEC shall be located on the ground floor of any multi-level building.
 - (C) The PPEC facility shall not be located in a mobile home.
 - (D) The PPEC facility shall not be located in a residence.
 - (E) There shall be no nighttime care of eligible children in the PPEC facility. For the purposes of this rule, night shall have the same meaning as defined in 5 CSR 25-500.010.
- (3) Post Licensing Requirements
- (A) Thirty (30) days after either initial licensing or beginning to care for eligible children, whichever is later, the provider shall obtain a sanitation inspection.
 - (B) The provider shall notify the department of any new or changed variances granted by DESE to regulations under 5 CSR 25.
 - (C) Providers shall provide to the department annual proof of compliance with fire safety and sanitation requirements set by DESE.
 - a. Compliance with fire safety requirements shall be proven with an inspection by the Department of Public Safety, Division of Fire Safety showing the facility to be in full compliance.
 - b. Compliance with sanitation requirements shall be proven with an inspection by the Department of Health and Senior Services showing the facility to be in full compliance.
- (4) Inspection and Plan of Correction Process
- (A) The PPEC facility provider and staff shall allow representatives of the department to survey the facility.
 - (B) After completion of each department survey, the department shall prepare a written report of the findings with respect to compliance or noncompliance with the provisions of sections 192.2550 – 192.2560, RSMo, and the regulations within this chapter, as well as a list of deficiencies.
 - (C) The provider or designee shall have ten (10) calendar days following receipt of the written survey report to provide the department with a written plan of correction for the identified deficiencies.

- (D) Upon receipt of the required plan of correction for achieving license compliance, the department shall review the plan to determine the appropriateness of the corrective action and respond to the facility. If the plan is not acceptable, the department shall notify the provider or designee and indicate the reasons why the plan was not acceptable. A revised plan of correction shall be provided to the department within seven (7) calendar days of this notice.
 - (E) Upon expiration of the completion date for correction of deficiencies specified in the approved plan of correction, the department shall determine if the required corrective measures have been acceptably accomplished. If the department finds the facility to still be noncompliant, the department may request another plan of correction or may take action to discipline the license.
 - (F) The department may proceed with the immediate suspension and proposed revocation of a license prior to receiving a plan of correction if there is an imminent threat of bodily harm to the children in care.
 - (G) The department will not accept a plan of correction and will proceed with the immediate suspension and proposed revocation of a license if DESE immediately suspends the provider's child care license, or if DESE revoke's the provider's child care license.
- (5) Variance Request Process
- (A) Any provider may request a variance from a rule in this chapter. The request for a variance shall be submitted in writing to the department and shall include the rule(s) for which a variance is requested and the reason(s) the provider requests the variance.
 - (B) The department may grant variances for specified periods of time to any rule imposed by the department in this chapter if the department has determined that the variance to the rule would not potentially jeopardize the health, safety, or welfare of any children in the PPEC facility. The department shall notify the provider, in writing, of the decision on any request for variance, stating the reason(s) for acceptance or denial, and, if granted, the length of time the variance is to be in effect and any additional corrective factors upon which variance may be conditioned. The determination is subject to review under Chapter 536, RSMo.

AUTHORITY: section 192.2554, RSMo 2024. Original rule filed [DATE], effective [DATE]

PUBLIC COST: This proposed rule is estimated to cost state agencies or political subdivisions \$118,423 - \$120,823 annually, in the aggregate.

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 rule with the Bureau of Home Care and Rehabilitative Standards, Missouri Department of Health and Senior Services, P.O. Box 570, Jefferson City, MO 65102, or via email at BHCRS@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.*