



**Missouri Department of Health and Senior Services**

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**Randall W. Williams, MD, FACOG**  
Director



**Michael L. Parson**  
Governor

April 22, 2020

As Director of the Missouri Department of Health and Senior Services (“Department”), pursuant to Executive Orders 20-02 and 20-04, I am vested with the authority to temporarily waive or suspend the operation of any statutory requirement or administrative rule, upon approval of the Office of the Governor. After consultation with and receiving approval from the Office of the Governor, I am hereby waiving the following laws in order to assist the state, and its citizens prepare and respond to COVID-19 until May 15, 2020, unless otherwise modified by the Department.

### **Adult Day Care Requirements**

19 CSR 30-90.040(6) shall be waived to the extent the provisions require there to be at least two (2) direct care staff persons on duty at all times providing direct care to adult care participants when two (2) through sixteen (16) participants are present and one (1) additional direct care staff person to be present in adult day care centers when any portion of eight (8) additional participants are present. This waiver shall allow for one (1) direct care staff person to be on duty at all times providing direct care to up to eight (8) adult day care participants, as long as their care needs do not exceed the care that one person can provide, and one (1) additional direct care staff person shall be present when any portion of eight (8) additional participants are present in the adult day care center.

19 CSR 30-90.040(7) shall be waived to the extent the provisions require adult day care programs to comply with the screening/testing of staff/employees for tuberculosis as set forth in 19 CSR 20-20.010 through 19 CSR 20-20.100.

19 CSR 30-90.040(18) shall be waived to the extent that the provisions require adult day care programs to provide at least quarterly in-service training to staff. This waiver allows adult day care programs thirty (30) days after the conclusion of the state of emergency to conduct necessary in-services.

19 CSR 30-90.050(3) shall be waived to the extent the provisions require adult day care centers to have a medical assessment by an adult day care participant’s physician or that physician’s designated agent of the participant’s medical condition prior to the first day of participation and signed by the physician or the physician’s designated agent within five (5) working days of the first day of participation. This waiver shall allow adult day care centers to receive this medical assessment signed by the physician or the physician’s designated agent within thirty (30) days of the first day of participation.

19 CSR 30-90.050(4) shall be waived to the extent the provisions require adult day care centers to develop a written individual plan of care for each adult day care participant within five (5) contact days following the entry of the participant into the adult day care program. This waiver shall allow adult day care centers to develop a written individual plan of care for each adult day care participant within thirty (30) contact days following the entry of the participant into the adult day care program.

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19 CSR 30-90.050(8)(D)3.C. shall be waived to the extent the provisions require orders concerning treatments and medications to be in effect for a specified number of days as indicated by the physician, which may not exceed sixty (60) days at adult day care centers. This waiver shall allow orders concerning treatments and medications which come due during the state of emergency, to be in effect for an additional thirty (30) days after the conclusion of the state of emergency, if authorized by the physician.

19 CSR 30-90.070(2)(A) shall be waived to the extent the provisions require adult day care centers to obtain annual written approval from the appropriate local fire safety officials, certifying that the facility complies with local fire codes. This waiver shall allow adult day care centers up to two (2) months after the state of emergency has concluded to obtain the annual written approval from the appropriate local fire safety officials.

19 CSR 30-90.070(2)(E) shall be waived to the extent the provisions require adult day care centers to conduct fire drills coordinated with local fire safety authorities at least one (1) time per month and with sufficient frequency to familiarize staff and participants with the proper evacuation procedures. Any fire drills coordinated with local fire safety authorities may be delayed under this waiver and shall resume after the state of emergency has concluded.

19 CSR 30-90.070(2)(C) shall be waived to the extent that the provisions require fire extinguishers to be maintained in adult day care centers. This waiver allows the required maintenance of fire extinguishers by an outside vendor to be delayed. Adult day care centers have until two (2) months after the state of emergency has concluded to be current with the required maintenance of fire extinguishers.

  
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Randall W. Williams, MD, FACOG  
Director