

**Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS
AND PROFESSIONAL REGISTRATION
Division 2150—State Board of Registration for the Healing Arts
Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants**

EMERGENCY RULE

20 CSR 2150-3.170 Physical Therapist Assistant Licensure Fees.

PURPOSE: The State Board of Registration for the Healing Arts is statutorily obligated to enforce and administer the provisions of sections 334.002 – 334.749, RSMo. Pursuant to section 334.090, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 334.002-334.749, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 334.002-334.749, RSMo.

EMERGENCY STATEMENT: The State Board of Registration for the Healing Arts is statutorily obligated to enforce and administer the provisions of sections 334.002 – 334.749, RSMo. Pursuant to section 334.090, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 334.002-334.749, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 334.002-334.749, RSMo. Based on the board's five (5)-year projections, the board finds it necessary to reduce fees. The board is proposing to collectively decrease the fees in section (1) by approximately thirty percent (30%) to maintain board's fund at a level that is authorized by section 334.090, RSMo. The rescission and readoption of this rule also includes revising the structure of the rules to provide a more clear and concise schedule of fees.

Without this emergency rescission and readoption the decreased fee requirement will not be effective in time for the renewal notice and the board will collect more revenue than it is statutorily authorized to collect.

*A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of the emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. In developing this emergency amendment, the board has determined that the fee decrease is necessary beginning October 1, 2016 to prevent funds from exceeding the maximum fund balance thereby resulting in a transfer from the fund to general revenue as set forth in section 334.090.2, RSMo. Pursuant to section 324.001.10, RSMo, a compelling governmental interest is to deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the Division of Professional Registration is reasonably expected to exceed an amount that would require transfer from that fund to general*

revenue. The board believes this emergency rule to be fair to all interested persons or parties under the circumstances. This emergency rule was filed September 1, 2016 becomes effective September 11, 2016, and expires March 9, 2017.

20 CSR 2150-3.170 Physical Therapist Assistant Licensure Fees.

(1) The following fees are established by the State Board of Registration for the Healing Arts:

- (A) Physical Therapist Assistant
 - 1. Licensure by Examination Fee \$ 25
 - 2. Licensure by Reciprocity Fee \$ 25
 - 3. Temporary License Fee \$ 10
 - 4. Renewal Fee \$ 50
 - 6. Reinstatement of an Inactive License Fee \$ 25
- (B) General Fees
 - 1. Continuing Education Extension Fee \$ 25
 - 2. Duplicate License Fee \$ 0
 - 3. Endorsement of Board Scores \$ 25
 - 4. Late Renewal Fee (Delinquent Fee) \$ 25
 - 5. Return Check Fee \$ 25
 - 6. Verification of Licensure Fee \$ 0

(2) All fees are nonrefundable.

(3) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: section 334.125, RSMo 2000 and sections 334.655, 334.660, 334.670, and 334.687, RSMo Supp. 2008. This rule originally filed as 4 CSR 150-3.170. Original rule filed Sept. 4, 1997, effective March 30, 1998. Amended: Filed April 14, 2000, effective Oct. 30, 2000. Amended: Filed Sept. 15, 2000, effective March 30, 2001. Amended: Filed June 16, 2003, effective Dec. 30, 2003. Moved to 20 CSR 2150-3.170, effective Aug. 28, 2006. Amended: Filed March 30, 2009, effective Nov. 30, 2009. Emergency rule was filed September 1, 2016 becomes effective September 11, 2016, and expires March 9, 2017. A proposed rule covering this same material is published in this issue of the **Missouri Register**.*