

day thereafter if February 14th falls on a weekend or holiday.

(B) Effect of Appeal on Pending Deduction. The submission of an appeal prior to the effective date of the deduction will not prevent the deduction from occurring so long as the state agency and/or Division of Accounting have complied with the applicable deduction procedure described in this rule, except in instances where a final decision is reached to modify the amount of the deduction or reverse the deduction with sufficient time remaining to effectuate the final decision prior to the deduction.

(C) Contents of Appeal. Appeals should set out in clear, concise language the employee's understanding of the events preceding the deduction, any inaccuracies in the state agency's communications to the employee regarding the deduction, the reason(s) why the employee believes the deduction is inappropriate, and attach all evidence supporting the employee's position.

(D) Standard of Review. Appeals shall involve a review of the appropriateness of the deduction in light of all of the relevant facts and law.

(E) Optional Hearing. The Commissioner or his/her designee may or may not decide to hold an informal hearing to gather additional information regarding the deduction. It is expected that the employee, one or more representatives of the state agency, and/or one or more representatives of the Division of Accounting will attend this hearing if held. The employee may request that the Commissioner or his/her designee allow the attendance of individuals with first-hand knowledge relevant to the deduction. The parties shall all proceed in a respectful and orderly fashion as directed by the Commissioner or his/her designee so as to allow the Commissioner or his/her designee the opportunity to gather information regarding the deduction.

(F) Final Decision. At any time following the receipt of a timely appeal of a deduction after sufficient information has been gathered to make an informed decision, the Commissioner shall issue a written decision disposing of the employee's appeal by either upholding the deduction, modifying the amount of the deduction, or reversing the deduction. The employee may request a stay of the appeal pending the resolution of other relevant administrative, civil, or criminal proceedings and the Commissioner or his/her designee may rule on the request in an exercise of their discretion. Any unrulled request for stay will be presumed denied.

(4) Appeals from Final Decisions. Final decisions of the Commissioner under this rule may be appealed pursuant to section 536.150, RSMo.

AUTHORITY: sections 33.103 and 536.023, RSMo 2016. Emergency rule filed April 16, 2020, effective April 30, 2020, expires Oct. 30, 2020. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

Title 1—OFFICE OF ADMINISTRATION
Division 20—Personnel Advisory Board and Division of Personnel
Chapter 5—Working Hours, Holidays and Leaves of Absence

EMERGENCY RULE

1 CSR 20-5.030 Borrowed Leave

PURPOSE: This rule provides for borrowed leave use and availability in response to Coronavirus Disease 2019 (COVID-19).

EMERGENCY STATEMENT: This emergency rule establishes the availability and eligibility requirements of the new borrowed leave program within state agencies subject to section 36.350, RSMo. The borrowed leave program will allow state employees impacted by COVID-19 to take additional sick leave beyond their existing balances. The COVID-19 pandemic poses an immediate danger to the public health, safety, and welfare, and emergency action is required to address this danger by allowing state employees without leave balances to take leave from the first moment they are sick free of immediate adverse economic consequences, which will help protect the co-workers of employees who might otherwise report to work while sick as well as the public and help to disrupt the spread of COVID-19. In addition to the foregoing, the emergency rule will help to preserve the compelling governmental interests of retaining employees, keeping employees and the public safe, and maximizing government responsiveness and efficiency during the COVID-19 pandemic. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The board believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed April 16, 2020, becomes effective April 30, 2020, and expires October 30, 2020.

(1) Scope. This rule establishes the availability and eligibility requirements of borrowed leave within state agencies subject to section 36.350, RSMo, notwithstanding any other rule in this chapter to the contrary. The board expects that section (2) of this rule will be rescinded when the availability of borrowed leave in response to the COVID-19 pandemic is no longer necessary.

(2) Borrowed Leave.

(A) State agencies may permit employees who have exhausted their sick leave balance to borrow against future sick leave accruals in circumstances caused directly or indirectly by COVID-19 as specified in this rule.

(B) Borrowed leave may be approved by state agencies in accordance with a written interagency memorandum issued by the Commissioner of the Office of Administration. The board does not anticipate that this memorandum will substantially affect the legal rights of, or procedures available to, the public or any segment thereof, because it only impacts the internal management of state agencies. In response to the exigencies created by the COVID-19 pandemic, the memorandum may describe any of the following:

1. The circumstances in which borrowed leave may be approved;
2. The amount of borrowed leave available, which may vary by circumstance;
3. Documentation requirements applicable to borrowed leave, which may vary by circumstance;
4. Additional requirements applicable upon taking threshold amounts of borrowed leave;
5. The procedure by which borrowed leave will be repaid while the employee remains in state service;
6. The establishment of ShareLeave programs by which eligible employees may donate leave hours to assist recipient employees in the repayment of borrowed leave; and
7. Any other procedures or requirements incident to the administration of leave as the Commissioner believes to be appropriate and necessary to address the emergency created by the COVID-19 pandemic.

(3) Repayment of Borrowed Leave. Employees approved to borrow against future sick leave accruals must repay the borrowed leave in

full. In addition to repaying borrowed leave with sick leave, the inter-agency memorandum may specify that other accumulated time may be used by employees and, in the event of separation must be used, to repay borrowed leave. In the event an employee separates from state service prior to full repayment of borrowed leave, the remaining balance will be deducted from the employee's compensation warrants in accordance with subdivision (4) of subsection 2 of section 33.103, RSMo, and guidelines established pursuant thereto. To the extent the employee's compensation warrants are insufficient to fully repay their borrowed leave balance, collection of the remaining balance is authorized.

AUTHORITY: section 36.350, RSMo 2016, and sections 36.060 and 36.070, RSMo Supp. 2019. Emergency rule filed April 16, 2020, effective April 30, 2020, expires Oct. 30, 2020. A proposed rule covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 2—Health Requirements for Movement of
Livestock, Poultry, and Exotic Animals**

EMERGENCY AMENDMENT

2 CSR 30-2.005 Vesicular Stomatitis Restrictions on Domestic and Exotic Ungulates (Hoofed Animals) Entering Missouri. The Director is amending section (1).

PURPOSE: This amendment reflects current scientific research on Vesicular Stomatitis disease control.

EMERGENCY STATEMENT: This emergency rule informs the public about new quarantine procedures for domestic or exotic ungulates originating from counties with Vesicular Stomatitis. Using current scientific research, the Animal Health Division wishes to better facilitate movement of domestic and exotic ungulates by applying updated and relevant movement regulations. A case of Vesicular Stomatitis was recently reported in the United States. As a result, the Animal Health Division finds a compelling governmental interest to facilitate commerce, which requires this emergency action to be implemented in the instance Vesicular Stomatitis is reported in other states. A proposed rule, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Animal Health Division believes this emergency rule is fair to all interested persons and parties under the circumstances. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protection extended in the Missouri and United States Constitutions. The Department of Agriculture believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed April 30, 2020, becomes effective May 15, 2020, and expires November 10, 2020.

(1) In addition to any other entry requirements, any domestic or exotic ungulate(s) (hoofed animal) originating from a [state] county

affected with Vesicular Stomatitis, meaning a [state] county with a premises under quarantine for Vesicular Stomatitis, must meet the following requirements:

(A) Any animal entering Missouri requiring a Certificate of Veterinary Inspection must have an entry permit issued by the Missouri Department of Agriculture, Division of Animal Health and the permit number shall be listed on the Certificate of Veterinary Inspection.

(B) The Certificate of Veterinary Inspection must be issued within seven (7) days prior to entering Missouri and must state that the animals listed are free of clinical signs of Vesicular Stomatitis and have not been exposed to Vesicular Stomatitis or located [within ten (10) miles of a] on a premises quarantined for Vesicular Stomatitis within the past [thirty (30)] fourteen (14) days.

(C) These requirements shall remain in place until a quarantine release has been issued for all affected premises in the [state] county from which the animal originates.

AUTHORITY: section 267.645, RSMo [2000] 2016. Emergency rule filed July 14, 1995, effective July 24, 1995, expired Nov. 20, 1995. Original rule filed Aug. 15, 2005, effective March 30, 2006. Emergency amendment filed April 30, 2020, effective May 15, 2020, expires Nov. 10, 2020. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 2—Income Maintenance**

EMERGENCY AMENDMENT

13 CSR 40-2.160 State Hearing Procedures. The division is amending section (1), adding new sections (2), (5), (6), (10)-(18), renumbering as necessary, and amending newly renumbered sections (3), (4), (7), (8), and (9).

PURPOSE: This emergency amendment accounts for changes in technology, and addresses issues that commonly occur in the appeals process and that the rule, in its current form, does not address.

EMERGENCY STATEMENT: The Department of Social Services, Family Support Division (FSD) finds that there is an immediate danger to the public health, safety or welfare requiring emergency action and that this emergency rule is necessary to preserve a compelling governmental interest as it allows the FSD to conduct hearings telephonically or through electronic means during the state of emergency and updates changes in technology and how the FSD can communicate with participants. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. This emergency amendment limits its scope to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. The FSD believes this emergency amendment to be fair to all interested parties under the circumstances. The emergency amendment was filed April 16, 2020, becomes effective April 30, 2020, and expires February 9, 2021.

(1) If an Old Age Assistance, Nursing Care, Aid to Dependent Children, General Relief, Permanent and Total Disability Assistance or Aid to the Blind application is not acted upon within a reasonable length of time after the filing of the application or is denied in whole or in part, or if any