

FIRST REGULAR SESSION

SENATE BILL NO. 304

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASSON.

Read 1st time February 12, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1538S.01I

AN ACT

To repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers' licenses.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 334.715, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 334.715, to read as follows:

334.715. 1. The board may refuse to issue or renew any license required
2 under sections 334.700 to 334.725 for one or any combination of causes listed in
3 subsection 2 of this section or any cause listed in section 334.100. The board
4 shall notify the applicant in writing of the reasons for the refusal and shall advise
5 the applicant of the applicant's right to file a complaint with the administrative
6 hearing commission as provided in chapter 621. As an alternative to a refusal to
7 issue or renew any certificate, registration, or authority, the board may, in its
8 discretion, issue a license which is subject to reprimand, probation, restriction,
9 or limitation to an applicant for licensure for any one or any combination of
10 causes listed in subsection 2 of this section or section 334.100. The board's order
11 of reprimand, probation, limitation, or restriction shall contain a statement of the
12 discipline imposed, the basis therefor, the date such action shall become effective,
13 and a statement that the applicant has thirty days to request in writing a hearing
14 before the administrative hearing commission. If the board issues a probationary,
15 limited, or restricted license to an applicant for licensure, either party may file
16 a written petition with the administrative hearing commission within thirty days
17 of the effective date of the probationary, limited, or restricted license seeking
18 review of the board's determination. If no written request for a hearing is
19 received by the administrative hearing commission within the thirty-day period,
20 the right to seek review of the board's decision shall be considered waived.

21 2. The board may cause a complaint to be filed with the administrative
22 hearing commission as provided in chapter 621 against any holder of a certificate
23 of registration or authority, permit, or license required by sections 334.700 to
24 334.725 or any person who has failed to renew or has surrendered the person's
25 certification of registration or license for any one or any combination of the
26 following causes:

27 (1) Violated or conspired to violate any provision of sections 334.700 to
28 334.725 or any provision of any rule promulgated pursuant to sections 334.700
29 to 334.725; or

30 (2) Has been found guilty of unethical conduct as defined in the ethical
31 standards of the National Athletic Trainers Association or the National Athletic
32 Trainers Association Board of Certification, or its successor agency, as adopted
33 and published by the committee and the board and filed with the secretary of
34 state; or

35 (3) Any cause listed in section 334.100.

36 3. After the filing of such complaint before the administrative hearing
37 commission, the proceedings shall be conducted in accordance with the provisions
38 of chapter 621. Upon a finding by the administrative hearing commission that
39 the grounds provided in subsection 2 of this section for disciplinary action are
40 met, the board may, singly or in combination:

41 (1) Warn, censure, or place the person named in the complaint on
42 probation on such terms and conditions as the board deems appropriate for a
43 period not to exceed ten years; or

44 (2) Suspend the person's license, certificate, or permit for a period not to
45 exceed three years; or

46 (3) Administer a public or private reprimand; or

47 (4) Deny the person's application for a license; or

48 (5) Permanently withhold issuance of a license or require the person to
49 submit to the care, counseling, or treatment of physicians designated by the board
50 at the expense of the individual to be examined; or

51 (6) Require the person to attend such continuing education courses and
52 pass such examinations as the board may direct; **or**

53 **(7) Restrict or limit the person's license for an indefinite period**
54 **of time; or**

55 **(8) Revoke the person's license.**

56 4. In any order of revocation, the board may provide that the person shall

57 not apply for reinstatement of the person's license for a period of time ranging
58 from two to seven years following the date of the order of revocation. All stay
59 orders shall toll such time period.

60 5. Before restoring to good standing a license, certificate, or permit issued
61 under this chapter which has been in a revoked, suspended, or inactive state for
62 any cause for more than two years, the board may require the applicant to attend
63 such continuing education courses and pass such examinations as the board may
64 direct.

Unofficial

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