

SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2046

AN ACT

To repeal sections 58.095, 58.720, 193.145, 193.265, 324.009, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, 334.725, 336.080, 337.020, 337.029, and 337.050, RSMo, and to enact in lieu thereof twenty-five new sections relating to professional registration, with existing penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 58.095, 58.720, 193.145, 193.265,
2 324.009, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712,
3 334.715, 334.717, 334.719, 334.721, 334.725, 336.080, 337.020,
4 337.029, and 337.050, RSMo, are repealed and twenty-five new
5 sections enacted in lieu thereof, to be known as sections 58.035,
6 58.095, 58.208, 58.720, 193.145, 193.265, 324.009, 324.025,
7 324.035, 334.702, 334.703, 334.704, 334.706, 334.708, 334.710,
8 334.712, 334.715, 334.717, 334.721, 334.725, 334.726, 336.080,
9 337.020, 337.029, and 337.050, to read as follows:

10 58.035. 1. There is hereby established within the
11 department of health and senior services a "Coroner Standards and
12 Training Commission" which shall be composed of eight members,
13 appointed by the governor, with the advice and consent of the
14 senate. The governor shall take into account the diversity of

1 the state when making the appointments to this commission. The
2 commission shall consist of:

3 (1) Two coroners elected from counties of the third
4 classification;

5 (2) One coroner elected from a county of the first, second,
6 or fourth classification;

7 (3) One currently appointed medical examiner;

8 (4) One child death pathologist;

9 (5) One elected prosecuting attorney;

10 (6) One elected sheriff;

11 (7) The director of the department of health and senior
12 services, or his or her designee, who shall serve as a nonvoting
13 member of the commission.

14
15 Each member of the coroner standards and training commission
16 shall have been at the time of his appointment a citizen of the
17 United States and a resident of this state for a period of at
18 least one year, and members who are coroners shall be qualified
19 as established by chapter 58.

20 2. The members of the commission shall serve for the
21 following terms:

22 (1) Every member of the commission who holds elected office
23 shall serve an initial term of two years;

24 (2) Every member of the commission who does not hold
25 elected office shall serve an initial term of four years;

26 (3) Every member of the commission shall serve for a term
27 of four years after the initial term has been served.

28 3. Annually the commission shall elect one of the members

1 as chairperson. The coroner standards and training commission
2 shall meet at least twice each year as determined by the director
3 of the department of health and senior services, the chairperson,
4 or a majority of the members to perform its duties. A majority
5 of the members of the coroner standards and training commission
6 shall constitute a quorum.

7 4. No member of the coroner standards and training
8 commission shall receive any compensation for the performance of
9 his or her official duties.

10 5. The coroner standards and training commission shall
11 establish training standards, by rule, relating to the office of
12 county coroner. These standards shall relate to the operation of
13 the office, the legal responsibilities of the office, and the
14 technical skills and knowledge required of the office.

15 6. Any rule or portion of a rule, as that term is defined
16 in section 536.010, that is created under the authority delegated
17 in this section shall become effective only if it complies with
18 and is subject to all of the provisions of chapter 536, and, if
19 applicable, section 536.028. This section and chapter 536 are
20 nonseverable and if any of the powers vested with the general
21 assembly pursuant to chapter 536 to review, to delay the
22 effective date, or to disapprove and annul a rule are
23 subsequently held unconstitutional, then the grant of rulemaking
24 authority and any rule proposed or adopted after August 28, 2020,
25 shall be invalid and void.

26 7. Once the commission has developed standards, the
27 commission shall issue a report detailing the standards. This
28 report shall be submitted to the speaker of the house of

1 representatives and the president pro tempore of the senate, and
2 shall be published on the website of the department of health and
3 senior services.

4 58.095. 1. The county coroner in any county[, other than
5 in a first classification chartered county,] not having a charter
6 form of government shall receive an annual salary computed on a
7 basis as set forth in the following schedule. The provisions of
8 this section shall not permit or require a reduction in the
9 amount of compensation being paid for the office of coroner on
10 January 1, 1997:

Assessed Valuation	Salary
\$18,000,000 to 40,999,999	\$8,000
41,000,000 to 53,999,999	8,500
54,000,000 to 65,999,999	9,000
66,000,000 to 85,999,999	9,500
86,000,000 to 99,999,999	10,000
100,000,000 to 130,999,999	11,000
131,000,000 to 159,999,999	12,000
160,000,000 to 189,999,999	13,000
190,000,000 to 249,999,999	14,000
250,000,000 to 299,999,999	15,000
300,000,000 or more	16,000

23 2. One thousand dollars of the salary authorized in this
24 section shall be payable to the coroner only if the coroner has
25 completed at least twenty hours of classroom instruction each
26 calendar year [relating to the operations of the coroner's office
27 when approved by a professional association of the county
28 coroners of Missouri] as established by the coroner standards and

1 training commission unless exempted from the training by the
2 [professional association] Missouri Coroners' and Medical
3 Examiners' Association for good cause. The [professional
4 association approving the program] Missouri Coroners' and Medical
5 Examiners' Association shall provide a certificate of completion
6 to each coroner who completes the training program and shall send
7 a list of certified coroners to the treasurer of each county and
8 the department of health and senior services. The coroner
9 standards and training commission may certify training programs
10 that satisfy the requirements of this section in lieu of the
11 training provided by the Missouri Coroners' and Medical
12 Examiners' Association. Certified training completion shall be
13 submitted to the Missouri Coroners' and Medical Examiners'
14 Association, which, upon validating the certified training, shall
15 submit the individual's name to the county treasurer and
16 department of health and senior services indicating the
17 individual is compliant with the training requirements. Expenses
18 incurred for attending the training session may be reimbursed to
19 the county coroner in the same manner as other expenses as may be
20 appropriated for that purpose. All elected or appointed
21 coroners, deputy coroners, and assistants to the coroner shall
22 complete the annual training described in this subsection within
23 six months of election or appointment.

24 3. The county coroner in any county[, other than a first
25 classification charter county] not having a charter form of
26 government, shall not, except upon two-thirds vote of all the
27 members of the salary commission, receive an annual compensation
28 in an amount less than the total compensation being received for

1 the office of county coroner in the particular county for
2 services rendered or performed on the date the salary commission
3 votes.

4 4. For the term beginning in 1997, the compensation of the
5 coroner, in counties in which the salary commission has not voted
6 to pay one hundred percent of the maximum allowable salary, shall
7 be a percentage of the maximum allowable salary established by
8 this section. The percentage applied shall be the same
9 percentage of the maximum allowable salary received or allowed,
10 whichever is greater, to the presiding commissioner or sheriff,
11 whichever is greater, of that county for the year beginning
12 January 1, 1997. In those counties in which the salary
13 commission has voted to pay one hundred percent of the maximum
14 allowable salary, the compensation of the coroner shall be based
15 on the maximum allowable salary in effect at each time a
16 coroner's term of office commences following the vote to pay one
17 hundred percent of the maximum allowable compensation.
18 Subsequent compensation shall be determined as provided in
19 section 50.333.

20 5. Effective January 1, 1997, the county coroner in any
21 county[, other than a county of the first classification with a
22 charter form of government,] not having a charter form of
23 government may, upon the approval of the county commission,
24 receive additional compensation for any month during which
25 investigations or other services are performed for three or more
26 decedents in the same incident during such month. The additional
27 compensation shall be an amount that when added to the regular
28 compensation the sum shall equal the monthly compensation of the

1 county sheriff.

2 58.208. 1. One dollar of the fee collected for any death
3 certificate issued under section 193.265 shall be deposited into
4 the Missouri state coroners' training fund established under
5 subsection 2 of this section. Moneys in such fund shall be used
6 by the Missouri Coroners' and Medical Examiners' Association:

7 (1) For in-state training, equipment, and necessary
8 supplies; and

9 (2) To provide aid to training programs approved by the
10 Missouri Coroners' and Medical Examiners' Association.

11 2. (1) There is hereby created in the state treasury the
12 "Missouri State Coroners' Training Fund", which shall consist of
13 moneys collected under subsection 1 of this section. The state
14 treasurer shall be custodian of the fund. In accordance with
15 sections 30.170 and 30.180, the state treasurer may approve
16 disbursements. The fund shall be a dedicated fund and, upon
17 appropriation, moneys in the fund shall be used solely for the
18 administration of subsection 1 of this section.

19 (2) Notwithstanding the provisions of section 33.080 to the
20 contrary, any moneys remaining in the fund over the amount of
21 five hundred thousand dollars shall revert to the credit of the
22 general revenue fund.

23 (3) The state treasurer shall invest moneys in the fund in
24 the same manner as other funds are invested. Any interest and
25 moneys earned on such investments shall be credited to the fund.

26 3. Local registrars may, during states of emergency or
27 disaster, request reimbursement from the fund for copies of death
28 certificates issued to individuals who are unable to afford the

1 associated fees.

2 58.720. 1. When any person dies within a county having a
3 medical examiner as a result of:

4 (1) Violence by homicide, suicide, or accident;

5 (2) Thermal, chemical, electrical, or radiation injury;

6 (3) Criminal abortions, including those self-induced;

7 (4) Disease thought to be of a hazardous and contagious
8 nature or which might constitute a threat to public health; or
9 when any person dies:

10 (a) Suddenly when in apparent good health;

11 (b) When unattended by a physician, chiropractor, or an
12 accredited Christian Science practitioner, during the period of
13 thirty-six hours immediately preceding his death;

14 (c) While in the custody of the law, or while an inmate in
15 a public institution;

16 (d) In any unusual or suspicious manner;

17
18 the police, sheriff, law enforcement officer or official, or any
19 person having knowledge of such a death shall immediately notify
20 the office of the medical examiner of the known facts concerning
21 the time, place, manner and circumstances of the death.

22 Immediately upon receipt of notification, the medical examiner or
23 his designated assistant shall take charge of the dead body and
24 fully investigate the essential facts concerning the medical
25 causes of death. He may take the names and addresses of
26 witnesses to the death and shall file this information in his
27 office. The medical examiner or his designated assistant shall
28 take possession of all property of value found on the body,

1 making exact inventory thereof on his report and shall direct the
2 return of such property to the person entitled to its custody or
3 possession. The medical examiner or his designated assistant
4 examiner shall take possession of any object or article which, in
5 his opinion, may be useful in establishing the cause of death,
6 and deliver it to the prosecuting attorney of the county.

7 2. When a death occurs outside a licensed health care
8 facility, the first licensed medical professional or law
9 enforcement official learning of such death shall contact the
10 county medical examiner. Immediately upon receipt of such
11 notification, the medical examiner or the medical examiner's
12 deputy shall make a determination if further investigation is
13 necessary, based on information provided by the individual
14 contacting the medical examiner, and immediately advise such
15 individual of the medical examiner's intentions.

16 3. Notwithstanding the provisions of subsection 2 of this
17 section to the contrary, when a death occurs under the care of a
18 hospice, no investigation shall be required if the death is
19 certified by the treating physician of the deceased or the
20 medical director of the hospice as a natural death due to disease
21 or diagnosed illness. The hospice shall provide written notice
22 to the medical examiner within twenty-four hours of the death.

23 4. In case of sudden, violent or suspicious death after
24 which the body was buried without any investigation or autopsy,
25 the medical examiner, upon being advised of such facts, may at
26 his own discretion request that the prosecuting attorney apply
27 for a court order requiring the body to be exhumed.

28 [4.] 5. The medical examiner shall certify the cause of

1 death in any case where death occurred without medical attendance
2 or where an attending physician refuses to sign a certificate of
3 death, and may sign a certificate of death in the case of any
4 death.

5 [5.] 6. When the cause of death is established by the
6 medical examiner, he shall file a copy of his findings in his
7 office within thirty days after notification of the death.

8 [6.] 7. (1) When a person is being transferred from one
9 county to another county for medical treatment and such person
10 dies while being transferred, or dies while being treated in the
11 emergency room of the receiving facility, the place which the
12 person is determined to be dead shall be considered the place of
13 death and the county coroner or the medical examiner of the
14 county from which the person was originally being transferred
15 shall be responsible for determining the cause and manner of
16 death for the Missouri certificate of death.

17 (2) The coroner or medical examiner in the county in which
18 the person is determined to be dead may, with authorization of
19 the coroner or medical examiner from the transferring county,
20 investigate and conduct postmortem examinations at the expense of
21 the coroner or medical examiner from the transferring county.
22 The coroner or medical examiner from the transferring county
23 shall be responsible for investigating the circumstances of such
24 and completing the Missouri certificate of death. The
25 certificate of death shall be filed in the county where the
26 deceased was pronounced dead.

27 (3) Such coroner or medical examiner, or the county where a
28 person is determined to be dead, shall immediately notify the

1 coroner or medical examiner of the county from which the person
2 was originally being transferred of the death of such person and
3 shall make available information and records obtained for
4 investigation of death.

5 (4) If a person does not die while being transferred and is
6 institutionalized as a regularly admitted patient after such
7 transfer and subsequently dies while in such institution, the
8 coroner or medical examiner of the county in which the person is
9 determined to be dead shall immediately notify the coroner or
10 medical examiner of the county from which such person was
11 originally transferred of the death of such person. In such
12 cases, the county in which the deceased was institutionalized
13 shall be considered the place of death. If the manner of death
14 is by homicide, suicide, accident, criminal abortion including
15 those that are self-induced, child fatality, or any unusual or
16 suspicious manner, the investigation of the cause and manner of
17 death shall revert to the county of origin, and this coroner or
18 medical examiner shall be responsible for the Missouri
19 certificate of death. The certificate of death shall be filed in
20 the county where the deceased was pronounced dead.

21 [7.] 8. There shall not be any statute of limitations or
22 time limits on cause of death when death is the final result or
23 determined to be caused by homicide, suicide, accident, criminal
24 abortion including those self-induced, child fatality, or any
25 unusual or suspicious manner. The place of death shall be the
26 place in which the person is determined to be dead, but the final
27 investigation of death determining the cause and manner of death
28 shall revert to the county of origin, and this coroner or medical

1 examiner shall be responsible for the Missouri certificate of
2 death. The certificate of death shall be filed in the county
3 where the deceased was pronounced dead.

4 [8.] 9. Except as provided in subsection [6] 7 of this
5 section, if a person dies in one county and the body is
6 subsequently transferred to another county, for burial or other
7 reasons, the county coroner or medical examiner where the death
8 occurred shall be responsible for the certificate of death and
9 for investigating the cause and manner of the death.

10 [9.] 10. In performing the duties, the coroner or medical
11 examiner shall comply with sections 58.775 to 58.785 with respect
12 to organ donation.

13 193.145. 1. A certificate of death for each death which
14 occurs in this state shall be filed with the local registrar, or
15 as otherwise directed by the state registrar, within five days
16 after death and shall be registered if such certificate has been
17 completed and filed pursuant to this section. All data providers
18 in the death registration process, including, but not limited to,
19 the state registrar, local registrars, the state medical
20 examiner, county medical examiners, coroners, funeral directors
21 or persons acting as such, embalmers, sheriffs, attending
22 physicians and resident physicians, physician assistants,
23 assistant physicians, advanced practice registered nurses, and
24 the chief medical officers of licensed health care facilities,
25 and other public or private institutions providing medical care,
26 treatment, or confinement to persons, shall be required to use
27 and utilize any electronic death registration system required and
28 adopted under subsection 1 of section 193.265 within six months

1 of the system being certified by the director of the department
2 of health and senior services, or the director's designee, to be
3 operational and available to all data providers in the death
4 registration process. However, should the person or entity that
5 certifies the cause of death not be part of, or does not use, the
6 electronic death registration system, the funeral director or
7 person acting as such may enter the required personal data into
8 the electronic death registration system and then complete the
9 filing by presenting the signed cause of death certification to
10 the local registrar, in which case the local registrar shall
11 issue death certificates as set out in subsection 2 of section
12 193.265. Nothing in this section shall prevent the state
13 registrar from adopting pilot programs or voluntary electronic
14 death registration programs until such time as the system can be
15 certified; however, no such pilot or voluntary electronic death
16 registration program shall prevent the filing of a death
17 certificate with the local registrar or the ability to obtain
18 certified copies of death certificates under subsection 2 of
19 section 193.265 until six months after such certification that
20 the system is operational.

21 2. If the place of death is unknown but the dead body is
22 found in this state, the certificate of death shall be completed
23 and filed pursuant to the provisions of this section. The place
24 where the body is found shall be shown as the place of death.
25 The date of death shall be the date on which the remains were
26 found.

27 3. When death occurs in a moving conveyance in the United
28 States and the body is first removed from the conveyance in this

1 state, the death shall be registered in this state and the place
2 where the body is first removed shall be considered the place of
3 death. When a death occurs on a moving conveyance while in
4 international waters or air space or in a foreign country or its
5 air space and the body is first removed from the conveyance in
6 this state, the death shall be registered in this state but the
7 certificate shall show the actual place of death if such place
8 may be determined.

9 4. The funeral director or person in charge of final
10 disposition of the dead body shall file the certificate of death.
11 The funeral director or person in charge of the final disposition
12 of the dead body shall obtain or verify and enter into the
13 electronic death registration system:

14 (1) The personal data from the next of kin or the best
15 qualified person or source available;

16 (2) The medical certification from the person responsible
17 for such certification if designated to do so under subsection 5
18 of this section; and

19 (3) Any other information or data that may be required to
20 be placed on a death certificate or entered into the electronic
21 death certificate system including, but not limited to, the name
22 and license number of the embalmer.

23 5. The medical certification shall be completed, attested
24 to its accuracy either by signature or an electronic process
25 approved by the department, and returned to the funeral director
26 or person in charge of final disposition within seventy-two hours
27 after death by the physician, physician assistant, assistant
28 physician, or advanced practice registered nurse in charge of the

1 patient's care for the illness or condition which resulted in
2 death. In the absence of the physician, physician assistant,
3 assistant physician, advanced practice registered nurse or with
4 the physician's, physician assistant's, assistant physician's, or
5 advanced practice registered nurse's approval the certificate may
6 be completed and attested to its accuracy either by signature or
7 an approved electronic process by the physician's associate
8 physician, the chief medical officer of the institution in which
9 death occurred, or the physician who performed an autopsy upon
10 the decedent, provided such individual has access to the medical
11 history of the case, views the deceased at or after death and
12 death is due to natural causes. The person authorized to
13 complete the medical certification may, in writing, designate any
14 other person to enter the medical certification information into
15 the electronic death registration system if the person authorized
16 to complete the medical certificate has physically or by
17 electronic process signed a statement stating the cause of death.
18 Any persons completing the medical certification or entering data
19 into the electronic death registration system shall be immune
20 from civil liability for such certification completion, data
21 entry, or determination of the cause of death, absent gross
22 negligence or willful misconduct. The state registrar may
23 approve alternate methods of obtaining and processing the medical
24 certification and filing the death certificate. The Social
25 Security number of any individual who has died shall be placed in
26 the records relating to the death and recorded on the death
27 certificate.

28 6. When death occurs from natural causes more than

1 thirty-six hours after the decedent was last treated by a
2 physician, physician assistant, assistant physician, advanced
3 practice registered nurse, the case shall be referred to the
4 county medical examiner or coroner or physician or local
5 registrar for investigation to determine and certify the cause of
6 death. If the death is determined to be of a natural cause, the
7 medical examiner or coroner or local registrar shall refer the
8 certificate of death to the attending physician, physician
9 assistant, assistant physician, advanced practice registered
10 nurse for such certification. If the attending physician,
11 physician assistant, assistant physician, advanced practice
12 registered nurse refuses or is otherwise unavailable, the medical
13 examiner or coroner or local registrar shall attest to the
14 accuracy of the certificate of death either by signature or an
15 approved electronic process within thirty-six hours.

16 7. If the circumstances suggest that the death was caused
17 by other than natural causes, the medical examiner or coroner
18 shall determine the cause of death and shall ~~complete and attest~~
19 ~~to the accuracy],~~ either by signature or an approved electronic
20 process, complete and attest to the accuracy of the medical
21 certification within seventy-two hours after taking charge of the
22 case.

23 8. If the cause of death cannot be determined within
24 seventy-two hours after death, the attending medical examiner,
25 coroner, attending physician, physician assistant, assistant
26 physician, advanced practice registered nurse, or local registrar
27 shall give the funeral director, or person in charge of final
28 disposition of the dead body, notice of the reason for the delay,

1 and final disposition of the body shall not be made until
2 authorized by the medical examiner, coroner, attending physician,
3 physician assistant, assistant physician, advanced practice
4 registered nurse, or local registrar.

5 9. When a death is presumed to have occurred within this
6 state but the body cannot be located, a death certificate may be
7 prepared by the state registrar upon receipt of an order of a
8 court of competent jurisdiction which shall include the finding
9 of facts required to complete the death certificate. Such a
10 death certificate shall be marked "Presumptive", show on its face
11 the date of registration, and identify the court and the date of
12 decree.

13 10. (1) The department of health and senior services shall
14 notify all physicians, physician assistants, assistant
15 physicians, and advanced practice registered nurses licensed
16 under chapters 334 and 335 of the requirements regarding the use
17 of the electronic vital records system provided for in this
18 section.

19 (2) On or before August 30, 2015, the department of health
20 and senior services, division of community and public health
21 shall create a working group comprised of representation from the
22 Missouri electronic vital records system users and recipients of
23 death certificates used for professional purposes to evaluate the
24 Missouri electronic vital records system, develop recommendations
25 to improve the efficiency and usability of the system, and to
26 report such findings and recommendations to the general assembly
27 no later than January 1, 2016.

28 11. Notwithstanding any provision of law to the contrary,

1 if a coroner or deputy coroner is not current with or is without
2 the approved training under chapter 58, the department of health
3 and senior services shall prohibit such coroner from attesting to
4 the accuracy of a certificate of death. No person elected or
5 appointed to the office of coroner can assume such elected office
6 until the training, as established by the coroner standards and
7 training commission under the provisions of section 58.035, has
8 been completed and a certificate of completion has been issued.
9 In the event a coroner cannot fulfill his or her duties or is no
10 longer qualified to attest to the accuracy of a death
11 certificate, the sheriff of the county shall appoint a medical
12 professional to attest death certificates until such time as the
13 coroner can resume his or her duties or another coroner is
14 appointed or elected to the office.

15 193.265. 1. For the issuance of a certification or copy of
16 a death record, the applicant shall pay a fee of [thirteen]
17 fourteen dollars for the first certification or copy and a fee of
18 [ten] eleven dollars for each additional copy ordered at that
19 time. For the issuance of a certification or copy of a birth,
20 marriage, divorce, or fetal death record, the applicant shall pay
21 a fee of fifteen dollars. No fee shall be required or collected
22 for a certification of birth, death, or marriage if the request
23 for certification is made by the children's division, the
24 division of youth services, a guardian ad litem, or a juvenile
25 officer on behalf of a child or person under twenty-one years of
26 age who has come under the jurisdiction of the juvenile court
27 under section 211.031. All fees collected under this subsection
28 shall be deposited to the state department of revenue. Beginning

1 August 28, 2004, for each vital records fee collected, the
2 director of revenue shall credit four dollars to the general
3 revenue fund, five dollars to the children's trust fund, one
4 dollar shall be credited to the endowed care cemetery audit fund,
5 one dollar for each certification or copy of death records to the
6 Missouri state coroners' training fund established in section
7 58.208, and three dollars for the first copy of death records and
8 five dollars for birth, marriage, divorce, and fetal death
9 records shall be credited to the Missouri public services health
10 fund established in section 192.900. Money in the endowed care
11 cemetery audit fund shall be available by appropriation to the
12 division of professional registration to pay its expenses in
13 administering sections 214.270 to 214.410. All interest earned
14 on money deposited in the endowed care cemetery audit fund shall
15 be credited to the endowed care cemetery fund. Notwithstanding
16 the provisions of section 33.080 to the contrary, money placed in
17 the endowed care cemetery audit fund shall not be transferred and
18 placed to the credit of general revenue until the amount in the
19 fund at the end of the biennium exceeds three times the amount of
20 the appropriation from the endowed care cemetery audit fund for
21 the preceding fiscal year. The money deposited in the public
22 health services fund under this section shall be deposited in a
23 separate account in the fund, and moneys in such account, upon
24 appropriation, shall be used to automate and improve the state
25 vital records system, and develop and maintain an electronic
26 birth and death registration system. For any search of the files
27 and records, when no record is found, the state shall be entitled
28 to a fee equal to the amount for a certification of a vital

1 record for a five-year search to be paid by the applicant. For
2 the processing of each legitimation, adoption, court order or
3 recording after the registrant's twelfth birthday, the state
4 shall be entitled to a fee equal to the amount for a
5 certification of a vital record. Except whenever a certified
6 copy or copies of a vital record is required to perfect any claim
7 of any person on relief, or any dependent of any person who was
8 on relief for any claim upon the government of the state or
9 United States, the state registrar shall, upon request, furnish a
10 certified copy or so many certified copies as are necessary,
11 without any fee or compensation therefor.

12 2. For the issuance of a certification of a death record by
13 the local registrar, the applicant shall pay a fee of ~~[thirteen]~~
14 fourteen dollars for the first certification or copy and a fee of
15 ~~[ten]~~ eleven dollars for each additional copy ordered at that
16 time. For each fee collected under this subsection, one dollar
17 shall be deposited to the state department of revenue and the
18 remainder shall be deposited to the official city or county
19 health agency. The director of revenue shall credit all fees
20 deposited to the state department of revenue under this
21 subsection to the Missouri state coroners' training fund
22 established in section 58.208.

23 3. For the issuance of a certification or copy of a birth,
24 marriage, divorce, or fetal death record, the applicant shall pay
25 a fee of fifteen dollars; except that, in any county with a
26 charter form of government and with more than six hundred
27 thousand but fewer than seven hundred thousand inhabitants, a
28 donation of one dollar may be collected by the local registrar

1 over and above any fees required by law when a certification or
2 copy of any marriage license or birth certificate is provided,
3 with such donations collected to be forwarded monthly by the
4 local registrar to the county treasurer of such county and the
5 donations so forwarded to be deposited by the county treasurer
6 into the housing resource commission fund to assist homeless
7 families and provide financial assistance to organizations
8 addressing homelessness in such county. The local registrar
9 shall include a check-off box on the application form for such
10 copies. All fees collected under this subsection, other than the
11 donations collected in any county with a charter form of
12 government and with more than six hundred thousand but fewer than
13 seven hundred thousand inhabitants for marriage licenses and
14 birth certificates, shall be deposited to the official city or
15 county health agency.

16 4. A certified copy of a death record by the local
17 registrar can only be issued within twenty-four hours of receipt
18 of the record by the local registrar. Computer-generated
19 certifications of death records may be issued by the local
20 registrar after twenty-four hours of receipt of the records. The
21 fees paid to the official county health agency shall be retained
22 by the local agency for local public health purposes.

23 324.009. 1. For purposes of this section, the following
24 terms mean:

25 (1) "License", a license, certificate, registration,
26 permit, or accreditation that enables a person to legally
27 practice an occupation or profession in a particular
28 jurisdiction[; except that "license" shall not include a

1 certificate of license to teach in public schools under section
2 168.021];

3 (2) "Oversight body", any board, department, agency, or
4 office of a jurisdiction that issues licenses[; except, for the
5 purposes of this section, oversight body shall not include the
6 state board of registration for the healing arts, the state board
7 of nursing, the board of pharmacy, the state committee of
8 psychologists, the Missouri dental board, the Missouri board for
9 architects, professional engineers, professional land surveyors
10 and professional landscape architects, the state board of
11 optometry, or the Missouri veterinary medical board].

12 2. Any [resident of Missouri] person who holds a valid
13 current license issued by another state, a territory of the
14 United States, or the District of Columbia, and who has been
15 licensed for at least one year in such other jurisdiction, may
16 submit an application for a license in Missouri in the same
17 occupation or profession, and at the same practice level, for
18 which he or she holds the current license, along with proof of
19 current licensure and proof of licensure for at least one year in
20 the other jurisdiction, to the relevant oversight body in this
21 state.

22 3. The oversight body in this state shall, within six
23 months of receiving an application described in subsection 2 of
24 this section, waive any examination, educational, or experience
25 requirements for licensure in this state for the applicant if it
26 determines that [the licensing requirements in the jurisdiction
27 that issued the applicant's license are substantially similar to
28 or more stringent than the licensing requirements in Missouri for

1 the same occupation or profession] there were minimum education
2 requirements and, if applicable, work experience and clinical
3 supervision requirements in effect and the other state verifies
4 that the person met those requirements in order to be licensed or
5 certified in that state. An oversight body that administers an
6 examination on laws of this state as part of its licensing
7 application requirement may require an applicant to take and pass
8 an examination specific to the laws of this state.

9 4. (1) The oversight body shall not waive any examination,
10 educational, or experience requirements for any applicant who has
11 had his or her license revoked by an oversight body outside the
12 state; who is currently under investigation, who has a complaint
13 pending, or who is currently under disciplinary action, except as
14 provided in subdivision (2) of this subsection, with an oversight
15 body outside the state; who does not hold a license in good
16 standing with an oversight body outside the state; who has a
17 criminal record that would disqualify him or her for licensure in
18 Missouri; or who does not hold a valid current license in the
19 other jurisdiction on the date the oversight body receives his or
20 her application under this section.

21 (2) If another jurisdiction has taken disciplinary action
22 against an applicant, the oversight body shall determine if the
23 cause for the action was corrected and the matter resolved. If
24 the matter has not been resolved by that jurisdiction, the
25 oversight body may deny a license until the matter is resolved.

26 5. [The oversight body shall not waive any examination,
27 educational, or experience requirements for any applicant if it
28 determines that waiving the requirements for the applicant may

1 endanger the public health, safety, or welfare.

2 6.] Nothing in this section shall prohibit the oversight
3 body from denying a license to an applicant under this section
4 for any reason described in any section associated with the
5 occupation or profession for which the applicant seeks a license.

6 6. Any person who is licensed under the provisions of this
7 section shall be subject to the applicable oversight body's
8 jurisdiction and all rules and regulations pertaining to the
9 practice of the licensed occupation or profession in this state.

10 7. This section shall not be construed to waive any
11 requirement for an applicant to pay any fees, post any bonds or
12 surety bonds, or submit proof of insurance associated with the
13 license the applicant seeks.

14 8. This section shall not apply to business, professional,
15 or occupational licenses issued or required by political
16 subdivisions.

17 9. The provisions of this section shall not impede an
18 oversight body's authority to require an applicant to submit
19 fingerprints as part of the application process.

20 10. The provisions of this section shall not apply to an
21 oversight body that has entered into a licensing compact with
22 another state for the regulation of practice under the oversight
23 body's jurisdiction. The provisions of this section shall not be
24 construed to alter the authority granted by, or any requirements
25 promulgated pursuant to, any interjurisdictional or interstate
26 compacts adopted by Missouri statute or any reciprocity
27 agreements with other states in effect on August 28, 2018, and
28 whenever possible this section shall be interpreted so as to

1 imply no conflict between it and any compact, or any reciprocity
2 agreements with other states in effect on August 28, 2018.

3 11. Notwithstanding any other provision of law, a license
4 issued under this section shall be valid only in this state and
5 shall not make a licensee eligible to be part of an interstate
6 compact. An applicant who is licensed in another state pursuant
7 to an interstate compact shall not be eligible for licensure by
8 an oversight body under the provisions of this section.

9 324.025. 1. The provisions of this section shall be known
10 and may be cited as the "Expanded Workforce Access Act of 2020".

11 2. For purposes of this section, the following terms mean:

12 (1) "Apprenticeship", a program that the United States
13 Department of Labor deems to meet the federal guidelines set out
14 in 29 CFR Part 29 and 29 U.S.C. Section 50;

15 (2) "License", a license, certificate, registration,
16 permit, or accreditation that enables a person to legally
17 practice an occupation, profession, or activity in the state;

18 (3) "Licensing authority", an agency, examining board,
19 credentialing board, or other office of the state with the
20 authority to impose occupational fees or licensing requirements
21 on any profession.

22 3. Beginning January 1, 2021, within the parameters
23 established under the federal Labor Standards For the
24 Registration of Apprenticeship Programs under 29 CFR Part 29 and
25 29 U.S.C. Section 50, each state licensing authority shall grant
26 a license to any applicant who meets the following criteria:

27 (1) Successfully completed the eighth grade;

28 (2) Completed an apprenticeship approved by the division of

1 professional registration or the United States Department of
2 Labor, or otherwise permitted under state or federal law; and

3 (3) Passed an examination, if one is deemed to be
4 necessary, by the appropriate licensing authority.

5 4. (1) The appropriate licensing authority shall establish
6 a passing score for any necessary examinations under the
7 apprenticeship program which shall not exceed any passing scores
8 that are otherwise required for a non-apprenticeship license for
9 the specific profession.

10 (2) If there is no examination requirement for a non-
11 apprenticeship license, no examination shall be required for
12 applicants who complete an apprenticeship.

13 (3) The number of working hours required for a competency-
14 based apprenticeship or a hybrid apprenticeship under 29 CFR 29.5
15 shall not exceed the number of educational hours otherwise
16 required for a non-apprenticeship license for the specific
17 profession.

18 5. Any department with oversight over a licensing authority
19 may promulgate all necessary rules and regulations for the
20 implementation of this section. Any rule or portion of a rule,
21 as that term is defined in section 536.010, that is created under
22 the authority delegated in this section shall become effective
23 only if it complies with and is subject to all of the provisions
24 of chapter 536 and, if applicable, section 536.028. This section
25 and chapter 536 are nonseverable and if any of the powers vested
26 with the general assembly pursuant to chapter 536 to review, to
27 delay the effective date, or to disapprove and annul a rule are
28 subsequently held unconstitutional, then the grant of rulemaking

1 authority and any rule proposed or adopted after August 28, 2020,
2 shall be invalid and void.

3 6. The provisions of this section shall not apply to any
4 occupation set forth in section 290.257, or any electrical
5 contractor licensed under sections 324.900 to 324.945.

6 324.035. 1. No board, commission, or committee within the
7 division of professional registration shall utilize occupational
8 fees, or any other fees associated with licensing requirements,
9 or contract or partner with any outside vendor or agency for the
10 purpose of offering continuing education classes.

11 2. Nothing in this section shall be construed to preclude a
12 board, commission, or committee within the division of
13 professional registration from utilizing occupational licensure
14 fees for the purpose of participating in conferences, seminars,
15 or other outreach for the purpose of communicating information to
16 licensees with respect to changes in policy, law, or regulations.

17 334.702. As used in sections 334.700 to 334.725, unless the
18 context clearly requires otherwise, the following terms mean:

19 (1) "Athlete", [a person who participates in a sanctioned
20 amateur or professional sport or recreational sport activity] any
21 person who engages in exercise, recreation, sport, or other
22 activity requiring physical strength, agility, flexibility, range
23 of motion, speed, or stamina;

24 (2) "Athletic trainer", a [person] health care professional
25 who meets the qualifications of section 334.708 and who, upon the
26 direction of [the team physician and/or] a consulting physician[,,
27 practices prevention] licensed under this chapter, promotes
28 health and wellness, provides injury and illness prevention,

1 clinical evaluation and assessment, emergency care, first aid,
2 treatment, or physical rehabilitation of injuries incurred by
3 athletes, and oversees return to performance activity for
4 athletes in the manner, means, and methods deemed necessary to
5 effect care [or], rehabilitation, [or both] or function, and that
6 are congruent with the athletic trainer's education, training,
7 and competence. When billing a third party payer, an athletic
8 trainer shall only bill such third party payer for services
9 within the scope of practice of a licensed athletic trainer;

10 (3) "Athletic training student", a person enrolled in a
11 professional athletic training degree program accredited by the
12 Commission on Accreditation of Athletic Training Education, or
13 its successor agency;

14 [(3)] (4) "Board", the Missouri board for the healing arts;

15 [(4)] (5) "Committee", the Missouri athletic [trainers]
16 trainer advisory committee;

17 [(5)] (6) "Division", the division of professional
18 registration within the department of commerce and insurance;

19 [(6) "Student athletic trainer", a person who assists in
20 the duties usually performed by a licensed athletic trainer and
21 who works under the direct supervision of a licensed athletic
22 trainer.]

23 (7) "Physically active individual", any person who engages
24 in exercise, recreation, sport, or other activity requiring
25 physical strength, agility, flexibility, range of motion, speed,
26 or stamina.

27 334.703. 1. An athletic trainer shall refer any individual
28 whose medical condition is beyond the scope of the athletic

1 trainer's education, training, and competence to a physician as
2 defined in chapter 334.400.

3 2. If there is no improvement in an individual who has
4 sustained an athletic injury within twenty-one days of initiation
5 of treatment, or ten visits, the athletic trainer shall refer the
6 individual to a physician as defined in section 334.400.

7 3. The practice of athletic training shall not include the
8 reconditioning or rehabilitation of systemic neurologic or
9 cardiovascular injuries, conditions, or diseases, except for an
10 athlete participating in a sanctioned amateur or professional
11 sport or recreational sport activity under the supervision of the
12 treating physician.

13 4. Nothing in this section shall be construed as to limit
14 the ability of athletic trainers to provide health care services
15 in accordance with the provisions of this chapter.

16 334.704. No person shall hold himself or herself out as an
17 athletic trainer [in this state], or to be practicing athletic
18 training, by title or description, including the words athletic
19 trainer (AT), licensed athletic trainer (LAT), athletic
20 therapist, or certified athletic trainer (ATC), unless such
21 person has been licensed as such under the provisions of sections
22 334.700 to 334.725.

23 334.706. 1. The board shall license applicants who meet
24 the qualifications for athletic trainers, who file for licensure,
25 and who pay all fees required for this licensure.

26 2. The board shall:

27 (1) Prescribe application forms to be furnished to all
28 persons seeking licensure pursuant to sections 334.700 to

1 334.725;

2 (2) Prescribe the form and design of the licensure to be
3 issued pursuant to sections 334.700 to 334.725;

4 (3) Set the fee for licensure and renewal thereof;

5 (4) Keep a record of all of its proceedings regarding the
6 Missouri athletic trainers act and of all athletic trainers
7 licensed in this state;

8 (5) [Annually prepare] Make available a roster of the names
9 and business addresses of all athletic trainers licensed in this
10 state[, copies of which shall be made available upon request to
11 any person paying the fee therefor]; and

12 (6) [Set the fee for the roster at an amount sufficient to
13 cover the actual cost of publishing and distributing the roster;

14 (7)] Appoint members of the Missouri athletic trainer
15 advisory committee[;

16 (8) Adopt an official seal].

17 3. The board may:

18 (1) Issue subpoenas to compel witnesses to testify or
19 produce evidence in proceedings to deny[, suspend, or revoke] a
20 license or licensure, or to discipline a license;

21 (2) Promulgate rules pursuant to chapter 536 in order to
22 carry out the provisions of sections 334.700 to 334.725;

23 (3) Establish guidelines for athletic trainers in sections
24 334.700 to 334.725.

25 4. No rule or portion of a rule promulgated under the
26 authority of sections 334.700 to 334.725 shall become effective
27 unless it has been promulgated pursuant to the provisions of
28 section 536.024.

1 334.708. 1. Any person seeking licensure pursuant to
2 sections 334.700 to 334.725 after August 28, 2006, [must be a
3 resident or in the process of establishing residency in this
4 state and] shall have passed the [National Athletic Trainers
5 Association] Board of Certification, Inc., or its successor
6 agency, examination.

7 2. The board shall grant, without examination, licensure to
8 any qualified nonresident athletic trainer holding a license or
9 licensure in another state if such other state recognizes
10 licenses or licensure of the state of Missouri in the same
11 manner.

12 334.710. 1. All applications for initial licensure
13 pursuant to sections 334.700 to 334.725 shall be submitted on
14 forms prescribed by the board and shall be accompanied by an
15 initial licensure fee. All applications for renewal of licensure
16 issued pursuant to sections 334.700 to 334.725 shall be submitted
17 on forms prescribed by the board and shall be accompanied by a
18 renewal fee.

19 2. All fees of any kind and character authorized to be
20 charged by the board shall be [paid to the director of revenue
21 and shall be deposited by the state treasurer into the board for
22 the healing arts fund, to be disbursed only in payment for
23 expenses of maintaining the athletic trainer licensure program
24 and for the enforcement of the provisions of sections 334.700 to
25 334.725] collected and deposited pursuant to section 334.050.

26 334.712. 1. Any person who meets the qualifications listed
27 in section 334.708, submits his or her application and fees in
28 accordance with section 334.710, and has not committed any act

1 listed in section 334.715 shall be issued a license pursuant to
2 sections 334.700 to 334.725.

3 2. Each license issued pursuant to sections 334.700 to
4 334.725 shall contain the name of the person to whom it was
5 issued, the date on which it was issued and such other
6 information as the board deems advisable. All licenses issued
7 pursuant to sections 334.700 to 334.725 shall expire on [January
8 thirtieth of each year] a schedule established by rule.

9 334.715. 1. The board may refuse to issue or renew any
10 license required under sections 334.700 to 334.725 for one or any
11 combination of causes listed in subsection 2 of this section or
12 any cause listed in section 334.100. The board shall notify the
13 applicant in writing of the reasons for the refusal and shall
14 advise the applicant of the applicant's right to file a complaint
15 with the administrative hearing commission as provided in chapter
16 621. As an alternative to a refusal to issue or renew any
17 certificate, registration, or authority, the board may, in its
18 discretion, issue a license which is subject to reprimand,
19 probation, restriction, or limitation to an applicant for
20 licensure for any one or any combination of causes listed in
21 subsection 2 of this section or section 334.100. The board's
22 order of reprimand, probation, limitation, or restriction shall
23 contain a statement of the discipline imposed, the basis
24 therefor, the date such action shall become effective, and a
25 statement that the applicant has thirty days to request in
26 writing a hearing before the administrative hearing commission.
27 If the board issues a probationary, limited, or restricted
28 license to an applicant for licensure, either party may file a

1 written petition with the administrative hearing commission
2 within thirty days of the effective date of the probationary,
3 limited, or restricted license seeking review of the board's
4 determination. If no written request for a hearing is received
5 by the administrative hearing commission within the thirty-day
6 period, the right to seek review of the board's decision shall be
7 considered waived.

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

15 (1) Violated or conspired to violate any provision of
16 sections 334.700 to 334.725 or any provision of any rule
17 promulgated pursuant to sections 334.700 to 334.725; or

18 (2) Has been found guilty of unethical conduct as defined
19 in the ethical standards of the National Athletic [Trainers]
20 Trainers' Association or the [National Athletic Trainers
21 Association] Board of Certification, Inc., or its successor
22 agency, as adopted and published by the committee and the board
23 and filed with the secretary of state; or

24 (3) Any cause listed in section 334.100.

25 3. After the filing of such complaint before the
26 administrative hearing commission, the proceedings shall be
27 conducted in accordance with the provisions of chapter 621. Upon
28 a finding by the administrative hearing commission that the

1 grounds provided in subsection 2 of this section for disciplinary
2 action are met, the board may, singly or in combination:

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

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

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

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

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

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

16 (7) Restrict or limit the person's license for an
17 indefinite period of time; or

18 (8) Revoke the person's license.

19 4. In any order of revocation, the board may provide that
20 the person shall not apply for reinstatement of the person's
21 license for a period of time ranging from two to seven years
22 following the date of the order of revocation. All stay orders
23 shall toll such time period.

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

1 the board may direct.

2 334.717. 1. There is hereby created the "Missouri Athletic
3 Trainer Advisory Committee", to be composed of [~~five~~] six members
4 to be appointed by the board.

5 2. The athletic trainer advisory committee shall:

6 (1) Assist the board in conducting [~~examinations~~]
7 evaluations for applicants of athletic trainer licensure;

8 (2) Advise the board on all matters pertaining to the
9 licensure of athletic trainers;

10 (3) Review all complaints and/or investigations wherein
11 there is a possible violation of sections 334.100, 334.700 to
12 334.725, or regulations promulgated pursuant thereto and make
13 recommendations to the board for action;

14 (4) Follow the provisions of the board's administrative
15 practice procedures in conducting all official duties.

16 3. [~~Each~~] The athletic trainer advisory committee [~~member~~]
17 shall be comprised as such:

18 (1) Each member shall be a citizen of the United States and
19 a resident of the state of Missouri for five years [~~next~~]
20 immediately preceding appointment and remain a resident of the
21 state of Missouri throughout the term; and

22 (2) [~~Be comprised of~~] Three members shall be licensed
23 athletic trainers [~~except for initial appointees~~]; and

24 (3) One member shall be a physician duly licensed by the
25 Missouri state board for the healing arts; and

26 (4) One member shall be a general public member; and

27 (5) One member shall be a member of the board.

28 4. [~~Except for the initial appointees,~~] Members shall hold

1 office for terms of six years. [The board shall designate one
2 member for a term expiring in 1984, one member for a term
3 expiring in 1985, one member for a term expiring in 1986, one
4 member for a term expiring in 1987, and one member for a term
5 expiring in 1988.] In the event of death, resignation, or
6 removal of any member, the vacancy of the unexpired term shall be
7 filled by the board in the same manner as the other appointments.

8 334.721. 1. Nothing in sections 334.700 to 334.725 shall
9 be construed to authorize the practice of medicine by any person
10 not licensed by the state board of registration for the healing
11 arts.

12 2. The provisions of sections 334.700 to 334.725 shall not
13 apply to the following persons:

14 (1) Physicians and surgeons licensed by the state board of
15 registration for the healing arts pursuant to this chapter;

16 (2) [Dentists licensed by the Missouri dental board who
17 confine their practice strictly to dentistry;

18 (3) Optometrists licensed by the state board of optometry
19 who confine their practice strictly to optometry, as defined in
20 section 336.010;

21 (4)] Nurses licensed by the state board of nursing who
22 confine their practice strictly to nursing as defined in section
23 335.016;

24 [(5)] (3) Chiropractors licensed by the state board of
25 chiropractic examiners who confine themselves strictly to the
26 practice of chiropractic, as defined in section 331.010;

27 [(6)] (4) Podiatrists licensed by the [state board of
28 chiropody or podiatry] state board of podiatric medicine who

1 confine their practice strictly to that of a podiatrist, as
2 defined in section 330.010;

3 [(7)] (5) Professional physical therapists licensed by the
4 state board of registration for the healing arts who confine
5 their practice strictly to professional physical therapy, as
6 defined in section 334.500;

7 [(8) Coaches and physical education instructors in the
8 performance of their duties;

9 (9)] (6) Athletic training students who confine themselves
10 strictly to their duties as defined in sections 334.700 to
11 334.725;

12 [(10)] (7) Athletic trainers, holding a valid credential
13 from other nations, states, or territories performing their
14 duties for their respective teams or organizations if they
15 restrict their duties only to their teams or organizations and
16 only during the course of their teams' or organizations' [stay]
17 visit, not to exceed thirty days in one calendar year, in this
18 state.

19 334.725. Any person who violates any provision of sections
20 334.700 to 334.725 is guilty of a misdemeanor and, upon
21 conviction thereof, shall be punished as for a class [C] B
22 misdemeanor.

23 334.726. Any new amendments to sections 334.701 to 334.726,
24 shall become effective thirty days after the effective date of
25 such act.

26 336.080. 1. Every licensed optometrist who continues in
27 active practice or service shall, on or before the renewal date,
28 renew his or her license and pay the required renewal fee and

1 present satisfactory evidence to the board of his or her
2 attendance for a minimum of thirty-two hours of board-approved
3 continuing education, or their equivalent during the preceding
4 two-year continuing education reporting period as established by
5 rule and regulation. As part of the thirty-two hours of
6 continuing education, a licensed optometrist shall be required to
7 obtain two hours in the area of Missouri jurisprudence, as
8 approved by the board. The continuing education requirement may
9 be waived by the board upon presentation to it of satisfactory
10 evidence of the illness of the optometrist or for other good
11 cause as defined by rule and regulation. The board shall not
12 reject any such application if approved programs are not
13 available within the state of Missouri. Every license which has
14 not been renewed on or before the renewal date shall expire.

15 2. Any licensed optometrist who permits his or her license
16 to expire may renew it within five years of expiration upon
17 payment of the required reactivation fee and presentation of
18 satisfactory evidence to the board of his or her attendance for a
19 minimum of forty-eight hours of board-approved continuing
20 education, or their equivalent, during the five years.

21 337.020. 1. Each person desiring to obtain a license,
22 whether temporary, provisional or permanent, as a psychologist
23 shall make application to the committee upon such forms and in
24 such manner as may be prescribed by the committee and shall pay
25 the required application fee. The form shall include a statement
26 that the applicant has completed two hours of suicide assessment,
27 referral, treatment, and management training that meets the
28 guidelines developed by the committee. [The committee shall not

1 charge an application fee until such time that the application
2 has been approved. In the event that an application is denied or
3 rejected, no application fee shall be charged.] The application
4 fee shall not be refundable. Each application shall contain a
5 statement that it is made under oath or affirmation and that its
6 representations are true and correct to the best knowledge and
7 belief of the person signing the application, subject to the
8 penalties of making a false affidavit or declaration.

9 2. Each applicant, whether for temporary, provisional or
10 permanent licensure, shall submit evidence satisfactory to the
11 committee that the applicant is at least twenty-one years of age,
12 is of good moral character, and meets the appropriate educational
13 requirements as set forth in either section 337.021 or 337.025,
14 or is qualified for licensure without examination pursuant to
15 section 337.029. In determining the acceptability of the
16 applicant's qualifications, the committee may require evidence
17 that it deems reasonable and proper, in accordance with law, and
18 the applicant shall furnish the evidence in the manner required
19 by the committee.

20 3. The committee with assistance from the division shall
21 issue a permanent license to and register as a psychologist any
22 applicant who, in addition to having fulfilled the other
23 requirements of sections 337.010 to 337.090, passes the
24 examination for professional practice in psychology and such
25 other examinations in psychology which may be adopted by the
26 committee, except that an applicant fulfilling the requirement of
27 section 337.029 shall upon successful completion of the
28 jurisprudence examination and completion of the oral examination

1 be permanently licensed without having to retake the examination
2 for professional practice in psychology.

3 4. The committee, with assistance from the division, shall
4 issue a provisional license to, and register as being a
5 provisionally licensed psychologist, any applicant who is a
6 graduate of a recognized educational institution with a doctoral
7 degree in psychology as defined in section 337.025, and who
8 otherwise meets all requirements to become a licensed
9 psychologist, except for passage of the national and state
10 licensing exams, oral examination and completion of the required
11 period of postdegree supervised experience as specified in
12 subsection 2 of section 337.025.

13 5. A provisional license issued pursuant to subsection 4 of
14 this section shall only authorize and permit the applicant to
15 render those psychological services which are under the
16 supervision and the full professional responsibility and control
17 of such person's postdoctoral degree licensed supervisor. A
18 provisional license shall automatically terminate upon issuance
19 of a permanent license, upon a finding of cause to discipline
20 after notice and hearing pursuant to section 337.035, upon the
21 expiration of one year from the date of issuance whichever event
22 first occurs, or upon termination of supervision by the licensed
23 supervisor. The provisional license may be renewed after one
24 year with a maximum issuance of two years total per provisional
25 licensee. The committee by rule shall provide procedures for
26 exceptions and variances from the requirement of a maximum
27 issuance of two years due to vacations, illness, pregnancy and
28 other good causes.

1 6. The committee, with assistance from the division, shall
2 immediately issue a temporary license to any applicant for
3 licensure either by reciprocity pursuant to section 337.029, or
4 by endorsement of the score from the examination for professional
5 practice in psychology upon receipt of an application for such
6 licensure and upon proof that the applicant is either licensed as
7 a psychologist in another jurisdiction, is a diplomate of the
8 American Board of Professional Psychology, or is a member of the
9 National Register of Health Services Providers in Psychology.

10 7. A temporary license issued pursuant to subsection 6 of
11 this section shall authorize the applicant to practice psychology
12 in this state, the same as if a permanent license had been
13 issued. Such temporary license shall be issued without payment
14 of an additional fee and shall remain in full force and effect
15 until the earlier of the following events:

16 (1) A permanent license has been issued to the applicant
17 following successful completion of the jurisprudence examination
18 and the oral interview examination;

19 (2) In cases where the committee has found the applicant
20 ineligible for licensure and no appeal has been taken to the
21 administrative hearing commission, then at the expiration of such
22 appeal time; or

23 (3) In cases where the committee has found the applicant
24 ineligible for licensure and the applicant has taken an appeal to
25 the administrative hearing commission and the administrative
26 hearing commission has also found the applicant ineligible, then
27 upon the rendition by the administrative hearing commission of
28 its findings of fact and conclusions of law to such effect.

1 8. Written and oral examinations pursuant to sections
2 337.010 to 337.090 shall be administered by the committee at
3 least twice each year to any applicant who meets the educational
4 requirements set forth in either section 337.021 or 337.025 or to
5 any applicant who is seeking licensure either by reciprocity
6 pursuant to section 337.029, or by endorsement of the score from
7 the examination of professional practice in psychology. The
8 committee shall examine in the areas of professional knowledge,
9 techniques and applications, research and its interpretation,
10 professional affairs, ethics, and Missouri law and regulations
11 governing the practice of psychology. The committee may use, in
12 whole or in part, the examination for professional practice in
13 psychology national examination in psychology or such other
14 national examination in psychology which may be available.

15 9. If an applicant fails any examination, the applicant
16 shall be permitted to take a subsequent examination, upon the
17 payment of an additional reexamination fee. This reexamination
18 fee shall not be refundable.

19 337.029. 1. A psychologist licensed in another
20 jurisdiction who has had no violations and no suspensions and no
21 revocation of a license to practice psychology in any
22 jurisdiction may receive a license in Missouri, provided the
23 psychologist passes a written examination on Missouri laws and
24 regulations governing the practice of psychology and meets one of
25 the following criteria:

26 (1) Is a diplomate of the American Board of Professional
27 Psychology;

28 (2) Is a member of the National Register of Health Service

1 Providers in Psychology;

2 (3) [Is currently licensed or certified as a psychologist
3 in another jurisdiction who is then a signatory to the
4 Association of State and Provincial Psychology Board's
5 reciprocity agreement;

6 (4)] Is currently licensed or certified as a psychologist
7 in another state, territory of the United States, or the District
8 of Columbia and:

9 (a) Has a doctoral degree in psychology from a program
10 accredited, or provisionally accredited, either by the American
11 Psychological Association or the Psychological Clinical Science
12 Accreditation System, or that meets the requirements as set forth
13 in subdivision (3) of subsection 3 of section 337.025;

14 (b) Has been licensed for the preceding five years; and

15 (c) Has had no disciplinary action taken against the
16 license for the preceding five years; or

17 [(5)] (4) Holds a current certificate of professional
18 qualification (CPQ) issued by the Association of State and
19 Provincial Psychology Boards (ASPPB).

20 2. Notwithstanding the provisions of subsection 1 of this
21 section, applicants may be required to pass an oral examination
22 as adopted by the committee.

23 3. A psychologist who receives a license for the practice
24 of psychology in the state of Missouri on the basis of
25 reciprocity as listed in subsection 1 of this section or by
26 endorsement of the score from the examination of professional
27 practice in psychology score will also be eligible for and shall
28 receive certification from the committee as a health service

1 provider if the psychologist meets one or more of the following
2 criteria:

3 (1) Is a diplomate of the American Board of Professional
4 Psychology in one or more of the specialties recognized by the
5 American Board of Professional Psychology as pertaining to health
6 service delivery;

7 (2) Is a member of the National Register of Health Service
8 Providers in Psychology; or

9 (3) Has completed or obtained through education, training,
10 or experience the requisite knowledge comparable to that which is
11 required pursuant to section 337.033.

12 337.050. 1. There is hereby created and established a
13 "State Committee of Psychologists", which shall consist of seven
14 licensed psychologists and one public member. The state
15 committee of psychologists existing on August 28, 1989, is
16 abolished. Nothing in this section shall be construed to prevent
17 the appointment of any current member of the state committee of
18 psychologists to the new state committee of psychologists created
19 on August 28, 1989.

20 2. Appointments to the committee shall be made by the
21 governor upon the recommendations of the director of the
22 division, upon the advice and consent of the senate. The
23 division, prior to submitting nominations, shall solicit nominees
24 from professional psychological associations and licensed
25 psychologists in the state. The term of office for committee
26 members shall be five years, and committee members shall not
27 serve more than ten years. No person who has previously served
28 on the committee for ten years shall be eligible for appointment.

1 In making initial appointments to the committee, the governor
2 shall stagger the terms of the appointees so that two members
3 serve initial terms of two years, two members serve initial terms
4 of three years, and two members serve initial terms of four
5 years.

6 3. Each committee member shall be a resident of the state
7 of Missouri for one year, shall be a United States citizen, and
8 shall, other than the public member, have been licensed as a
9 psychologist in this state for at least three years. Committee
10 members shall reflect a diversity of practice specialties. To
11 ensure adequate representation of the diverse fields of
12 psychology, the committee shall consist of at least two
13 psychologists who are engaged full time in the doctoral teaching
14 and training of psychologists, and at least two psychologists who
15 are engaged full time in the professional practice of psychology.
16 In addition, the first appointment to the committee shall include
17 at least one psychologist who shall be licensed on the basis of a
18 master's degree who shall serve a full term of five years.
19 Nothing in sections 337.010 to 337.090 shall be construed to
20 prohibit full membership rights on the committee for
21 psychologists licensed on the basis of a master's degree. If a
22 member of the committee shall, during the member's term as a
23 committee member, remove the member's domicile from the state of
24 Missouri, then the committee shall immediately notify the
25 director of the division, and the seat of that committee member
26 shall be declared vacant. All such vacancies shall be filled by
27 appointment of the governor with the advice and consent of the
28 senate, and the member so appointed shall serve for the unexpired

1 term of the member whose seat has been declared vacant.

2 4. The public member shall be at the time of the public
3 member's appointment a citizen of the United States; a resident
4 of this state for a period of one year and a registered voter; a
5 person who is not and never was a member of any profession
6 licensed or regulated pursuant to sections 337.010 to 337.093 or
7 the spouse of such person; and a person who does not have and
8 never has had a material, financial interest in either the
9 providing of the professional services regulated by sections
10 337.010 to 337.093, or an activity or organization directly
11 related to any profession licensed or regulated pursuant to
12 sections 337.010 to 337.093. The duties of the public member
13 shall not include the determination of the technical requirements
14 to be met for licensure or whether any person meets such
15 technical requirements or of the technical competence or
16 technical judgment of a licensee or a candidate for licensure.

17 5. The committee shall hold a regular annual meeting at
18 which it shall select from among its members a chairperson and a
19 secretary. A quorum of the committee shall consist of a majority
20 of its members. In the absence of the chairperson, the secretary
21 shall conduct the office of the chairperson.

22 6. Each member of the committee shall receive, as
23 compensation, an amount set by the division not to exceed fifty
24 dollars for each day devoted to the affairs of the committee and
25 shall be entitled to reimbursement for necessary and actual
26 expenses incurred in the performance of the member's official
27 duties.

28 7. Staff for the committee shall be provided by the

1 director of the division of professional registration.

2 8. The governor may remove any member of the committee for
3 misconduct, inefficiency, incompetency, or neglect of office.

4 9. In addition to the powers set forth elsewhere in
5 sections 337.010 to 337.090, the division may adopt rules and
6 regulations, not otherwise inconsistent with sections 337.010 to
7 337.090, to carry out the provisions of sections 337.010 to
8 337.090. The committee may promulgate, by rule, "Ethical Rules
9 of Conduct" governing the practices of psychology which rules
10 shall be based upon the ethical principles promulgated and
11 published by the American Psychological Association.

12 10. Any rule or portion of a rule, as that term is defined
13 in section 536.010, that is promulgated to administer and enforce
14 sections 337.010 to 337.090, shall become effective only if the
15 agency has fully complied with all of the requirements of chapter
16 536 including but not limited to section 536.028 if applicable,
17 after August 28, 1998. All rulemaking authority delegated prior
18 to August 28, 1998, is of no force and effect and repealed as of
19 August 28, 1998, however nothing in this act shall be interpreted
20 to repeal or affect the validity of any rule adopted and
21 promulgated prior to August 28, 1998. If the provisions of
22 section 536.028 apply, the provisions of this section are
23 nonseverable and if any of the powers vested with the general
24 assembly pursuant to section 536.028 to review, to delay the
25 effective date, or to disapprove and annul a rule or portion of a
26 rule are held unconstitutional or invalid, the purported grant of
27 rulemaking authority and any rule so proposed and contained in
28 the order of rulemaking shall be invalid and void, except that

1 nothing in this act shall affect the validity of any rule adopted
2 and promulgated prior to August 28, 1998.

3 11. The committee may sue and be sued in its official name,
4 and shall have a seal which shall be affixed to all certified
5 copies or records and papers on file, and to such other
6 instruments as the committee may direct. All courts shall take
7 judicial notice of such seal. Copies of records and proceedings
8 of the committee, and of all papers on file with the division on
9 behalf of the committee certified under the seal shall be
10 received as evidence in all courts of record.

11 12. When applying for a renewal of a license pursuant to
12 section 337.030, each licensed psychologist shall submit proof of
13 the completion of at least forty hours of continuing education
14 credit within the two-year period immediately preceding the date
15 of the application for renewal of the license, with a minimum of
16 three of the forty hours of continuing education dedicated to
17 professional ethics. The type of continuing education to be
18 considered shall include, but not be limited to:

19 (1) Attending recognized educational seminars, the content
20 of which are primarily psychological, as defined by rule;

21 (2) Attending a graduate level course at a recognized
22 educational institution where the contents of which are primarily
23 psychological, as defined by rule;

24 (3) Presenting a recognized educational seminar, the
25 contents of which are primarily psychological, as defined by
26 rule;

27 (4) Presenting a graduate level course at a recognized
28 educational institution where the contents of which are primarily

1 psychological, as defined by rule; and

2 (5) Independent course of studies, the contents of which
3 are primarily psychological, which have been approved by the
4 committee and defined by rule.

5

6 The committee shall determine by administrative rule the amount
7 of training, instruction, self-instruction or teaching that shall
8 be counted as an hour of continuing education credit.

9 [334.719. Any person who is a resident of this
10 state and who was actively engaged as an athletic
11 trainer on September 28, 1983, shall be entitled to
12 continue to practice as such but, within six months of
13 that date, comply with the provisions of section
14 334.708 to 334.715. For the purposes of this section a
15 person is actively engaged as an athletic trainer if he
16 is employed on a salary basis by an educational
17 institution, a professional athletic organization, or
18 any other bona fide athletic organization for the
19 duration of the institutional year or the athletic
20 organization's season, and one of his job
21 responsibilities requires him to perform the duties of
22 an athletic trainer.]