

SENATE BILL NO. 397

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR RAZER.

1370S.03I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 337, RSMo, by adding thereto two new sections relating to mental health treatment.

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

Section A. Chapter 337, RSMo, is amended by adding thereto two new sections, to be known as sections 337.800 and 337.801, to read as follows:

337.800. 1. There is hereby established within the department of commerce and insurance the "Dialectical Behavior Therapy Task Force" to consist of the following members:

(1) The director of the department of commerce and insurance, or his or her designee, who shall serve as chair;

(2) The director of the department of mental health, or his or her designee, who shall serve as vice chair;

(3) One member of the senate, to be appointed by the president pro tempore of the senate;

(4) One member of the senate, to be appointed by the minority floor leader of the senate;

(5) One member of the house of representatives, to be appointed by the speaker of the house of representatives;

(6) One member of the house of representatives, to be appointed by the minority floor leader of the house of representatives;

18 (7) Three individuals certified by the Dialectical
19 Behavior Therapy Linehan Board of Certification as
20 dialectical behavior therapy providers, to be appointed by
21 the governor;

22 (8) The executive director of the Missouri state
23 committee of psychologists, or his or her designee;

24 (9) One representative of Aspire Advocates for Mental
25 Health, to be appointed by the director of the department of
26 commerce and insurance based on recommendation of Aspire
27 Advocates for Mental Health;

28 (10) One representative of the National Alliance on
29 Mental Illness, to be appointed by the director of the
30 department of commerce and insurance based on recommendation
31 of the National Alliance on Mental Illness; and

32 (11) One representative of the American Foundation for
33 Suicide Prevention, to be appointed by the director of the
34 department of commerce and insurance based on recommendation
35 of the American Foundation for Suicide Prevention.

36 2. A majority of the members of the task force shall
37 constitute a quorum, but the concurrence of a majority of
38 the members shall be required for the determination of any
39 matter within the task force's duties. Any vacancy on the
40 task force shall be filled in the same manner as the
41 original appointment.

42 3. The task force shall hold its first meeting no
43 later than October 31, 2023, at which time the task force
44 shall receive public testimony regarding dialectical
45 behavior therapy and determine when further meetings shall
46 occur, and the focus of such meetings. The task force shall
47 hold at least two meetings in total.

48 4. The task force shall compile a report of its
49 activities for submission to the general assembly and the

50 governor, which shall include specific recommendations
51 regarding the following:

52 (1) Standards and procedures for obtaining
53 certification in dialectical behavior therapy for providers
54 and programs, to be derived from the Marsha Linehan
55 Dialectical Behavior Therapy model of treatment;

56 (2) Standards and procedures for temporary or
57 provisional certification in dialectical behavior therapy
58 for providers and programs in the process of obtaining
59 certification in dialectical behavior therapy;

60 (3) Standards and procedures for providers from other
61 states to obtain a comparable certification based on
62 certifications issued in other states; and

63 (4) Any other issue the task force considers relevant.

64 5. The department of commerce and insurance shall
65 provide such research, clerical, technical, and other
66 services as the task force may require in its duties under
67 this section.

68 6. No later than October 31, 2024, the task force
69 shall provide to the general assembly, the governor, and the
70 director of the department of commerce and insurance a
71 written report detailing its findings and recommendations,
72 including identifying any recommendations that may require
73 enabling legislation in addition to the authority specified
74 in section 337.801. The task force shall expire on October
75 31, 2024.

76 7. Members shall serve on the task force without
77 compensation, but may, at the discretion of the director of
78 the department of commerce and insurance, be reimbursed for
79 actual and necessary expenses incurred in the performance of
80 their official duties as members of the task force.

337.801. 1. The department of commerce and insurance shall promulgate rules regarding the following:

(1) Standards and procedures for obtaining certification in dialectical behavior therapy for providers and programs, to be derived from the Marsha Linehan Dialectical Behavior Therapy model of treatment;

(2) Standards and procedures for temporary or provisional certification in dialectical behavior therapy for providers and programs in the process of obtaining certification in dialectical behavior therapy; and

(3) Standards and procedures for providers from other states to obtain a comparable certification based on certifications issued in other states.

2. Proposed rules under this section shall incorporate the recommendations made by the dialectical behavior therapy task force in its report under section 337.800.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

4. This section shall take effect on November 1, 2024.

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