

SENATE BILL NO. 1284

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

4821S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 337.507 and 337.510, RSMo, and to enact in lieu thereof two new sections relating to professional counselors.

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

Section A. Sections 337.507 and 337.510, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 337.507 and 337.510, to read as follows:

337.507. 1. Applications for examination and
2 licensure as a professional counselor shall be in writing,
3 submitted to the division on forms prescribed by the
4 division and furnished to the applicant. The form shall
5 include a statement that the applicant has completed two
6 hours of suicide assessment, referral, treatment, and
7 management training. The application shall contain the
8 applicant's statements showing his education, experience and
9 such other information as the division may require. Each
10 application shall contain a statement that it is made under
11 oath or affirmation and that the information contained
12 therein is true and correct to the best knowledge and belief
13 of the applicant, subject to the penalties provided for the
14 making of a false affidavit or declaration. Each
15 application shall be accompanied by the fees required by the
16 committee. **Within fifteen business days of receipt of an
17 application, the division shall provide electronic access
18 for applicants to view any missing information or**

19 **documentation. Applicants may send the requested**
20 **information or documentation to the division electronically,**
21 **except that the division may require specific submission**
22 **processes for documentation related to signatures,**
23 **transcripts, background checks, and test results. An**
24 **application shall be considered a complete application once**
25 **the division has received all required information and**
26 **documentation.**

27 2. The division shall mail a renewal notice to the
28 last known address of each licensee prior to the
29 registration renewal date. Failure to provide the division
30 with the information required for registration, or to pay
31 the registration fee after such notice shall result in the
32 expiration of the license. The license shall be restored
33 if, within two years of the registration date, the applicant
34 provides written application and the payment of the
35 registration fee and a delinquency fee.

36 3. A new certificate to replace any certificate lost,
37 destroyed or mutilated may be issued subject to the rules of
38 the committee, upon payment of a fee.

39 4. The committee shall set the amount of the fees
40 which sections 337.500 to 337.540 authorize and require by
41 rules and regulations promulgated pursuant to section
42 536.021. The fees shall be set at a level to produce
43 revenue which shall not substantially exceed the cost and
44 expense of administering the provisions of sections 337.500
45 to 337.540. All fees provided for in sections 337.500 to
46 337.540 shall be collected by the director who shall deposit
47 the same with the state treasurer in a fund to be known as
48 the "Committee of Professional Counselors Fund".

49 5. The provisions of section 33.080 to the contrary
50 notwithstanding, money in this fund shall not be transferred

51 and placed to the credit of general revenue until the amount
52 in the fund at the end of the biennium exceeds two times the
53 amount of the appropriation from the committee's fund for
54 the preceding fiscal year or, if the committee requires by
55 rule renewal less frequently than yearly then three times
56 the appropriation from the committee's fund for the
57 preceding fiscal year. The amount, if any, in the fund
58 which shall lapse is that amount in the fund which exceeds
59 the appropriate multiple of the appropriations from the
60 committee's fund for the preceding fiscal year.

61 6. The committee shall hold public examinations at
62 least two times per year, at such times and places as may be
63 fixed by the committee, notice of such examinations to be
64 given to each applicant at least ten days prior thereto.

337.510. 1. As used in this section, the following
2 terms mean:

3 (1) "License", a license, certificate, registration,
4 permit, accreditation, or military occupational specialty
5 that enables a person to legally practice an occupation or
6 profession in a particular jurisdiction;

7 (2) "Military", the Armed Forces of the United States,
8 including the Air Force, Army, Coast Guard, Marine Corps,
9 Navy, Space Force, National Guard and any other military
10 branch that is designated by Congress as part of the Armed
11 Forces of the United States, and all reserve components and
12 auxiliaries. Such term also includes the military reserves
13 and militia of any United States territory or state;

14 (3) "Nonresident military spouse", a nonresident
15 spouse of an active duty member of the Armed Forces of the
16 United States who has been transferred or is scheduled to be
17 transferred to the state of Missouri, or who has been
18 transferred or is scheduled to be transferred to an adjacent

19 state and is or will be domiciled in the state of Missouri,
20 or has moved to the state of Missouri on a permanent change-
21 of-station basis;

22 (4) "Resident military spouse", a spouse of an active
23 duty member of the Armed Forces of the United States who has
24 been transferred or is scheduled to be transferred to the
25 state of Missouri or an adjacent state and who is a
26 permanent resident of the state of Missouri, who is
27 domiciled in the state of Missouri, or who has Missouri as
28 his or her home of record.

29 2. Each applicant for licensure as a professional
30 counselor shall furnish evidence to the committee that the
31 applicant is at least eighteen years of age, is a United
32 States citizen or is legally present in the United States;
33 and

34 (1) The applicant has completed a course of study as
35 defined by the board rule leading to a master's,
36 specialist's, or doctoral degree with a major in counseling,
37 except any applicant who has held a license as a
38 professional counselor in this state or currently holds a
39 license as a professional counselor in another state shall
40 not be required to have completed any courses related to
41 career development; and

42 (2) The applicant has completed acceptable supervised
43 counseling as defined by board rule. If the applicant has a
44 master's degree with a major in counseling as defined by
45 board rule, the applicant shall complete at least two years
46 of acceptable supervised counseling experience subsequent to
47 the receipt of the master's degree. The composition and
48 number of hours comprising the acceptable supervised
49 counseling experience shall be defined by board rule. An
50 applicant may substitute thirty semester hours of post

51 master's graduate study for one of the two required years of
52 acceptable supervised counseling experience if such hours
53 are clearly related to counseling;

54 (3) After August 28, 2007, each applicant shall have
55 completed a minimum of three hours of graduate level
56 coursework in diagnostic systems either in the curriculum
57 leading to a degree or as post master's graduate level
58 course work;

59 (4) Upon examination, the applicant is possessed of
60 requisite knowledge of the profession, including techniques
61 and applications, research and its interpretation, and
62 professional affairs and ethics.

63 3. (1) Any person who holds a valid current
64 professional counselor license issued by another state, a
65 branch or unit of the military, a territory of the United
66 States, or the District of Columbia, and who has been
67 licensed for at least one year in such other jurisdiction,
68 may submit an application for a professional counselor
69 license in Missouri along with proof of current licensure
70 and proof of licensure for at least one year in the other
71 jurisdiction, to the committee.

72 (2) The committee shall:

73 (a) Within six months of receiving an application
74 described in subdivision (1) of this subsection, waive any
75 examination, educational, or experience requirements for
76 licensure in this state for the applicant if it determines
77 that there were minimum education requirements and, if
78 applicable, work experience and clinical supervision
79 requirements in effect and the other state and jurisdiction
80 verifies that the person met those requirements in order to
81 be licensed or certified in that state and jurisdiction.

82 The committee may require an applicant to take and pass an
83 examination specific to the laws of this state; or

84 (b) Within thirty days of receiving an application
85 described in subdivision (1) of this subsection from a
86 nonresident military spouse or a resident military spouse,
87 waive any examination, educational, or experience
88 requirements for licensure in this state for the applicant
89 and issue such applicant a license under this subsection if
90 such applicant otherwise meets the requirements of this
91 subsection and section.

92 (3) (a) The committee shall not waive any
93 examination, educational, or experience requirements for any
94 applicant who has had his or her license revoked by a
95 committee outside the state; who is currently under
96 investigation, who has a complaint pending, or who is
97 currently under disciplinary action, except as provided in
98 paragraph (b) of this subdivision, with a committee outside
99 the state; who does not hold a license in good standing with
100 a committee outside the state; who has a criminal record
101 that would disqualify him or her for licensure in Missouri;
102 or who does not hold a valid current license in the other
103 jurisdiction on the date the committee receives his or her
104 application under this subsection and section.

105 (b) If another jurisdiction has taken disciplinary
106 action against an applicant, the committee shall determine
107 if the cause for the action was corrected and the matter
108 resolved. If the matter has not been resolved by that
109 jurisdiction, the committee may deny a license until the
110 matter is resolved.

111 (4) Nothing in this subsection shall prohibit the
112 committee from denying a license to an applicant under this
113 subsection for any reason described in section 337.525.

114 (5) Any person who is licensed under the provisions of
115 this subsection shall be subject to the committee's
116 jurisdiction and all rules and regulations pertaining to the
117 practice as a licensed professional counselor in this state.

118 (6) This subsection shall not be construed to waive
119 any requirement for an applicant to pay any fees.

120 4. The committee shall issue a license to each person
121 who files an application and fee and who furnishes evidence
122 satisfactory to the committee that the applicant has
123 complied with the provisions of this act and has taken and
124 passed a written, open-book examination on Missouri laws and
125 regulations governing the practice of professional
126 counseling as defined in section 337.500. The division
127 shall issue a provisional professional counselor license to
128 any applicant who meets all requirements of this section,
129 but who has not completed the required acceptable supervised
130 counseling experience and such applicant may reapply for
131 licensure as a professional counselor upon completion of
132 such acceptable supervised counseling experience.

133 5. (1) **The division shall issue a provisional**
134 **professional counselor license within fifteen business days**
135 **of receipt of a completed application, as described in**
136 **section 337.507, to an applicant who meets the requirements**
137 **of this section and holds a graduate degree accredited by**
138 **the Council for Accreditation of Counseling and Related**
139 **Educational Programs, Counseling on Rehabilitation**
140 **Education, Incorporated, or their successor organizations.**
141 **The license number shall be made available to the applicant**
142 **electronically.**

143 (2) **Such license shall be valid until the application**
144 **is reviewed by the committee. If the application is**
145 **rejected by the committee, the license shall terminate**

146 immediately. If the application is approved by the
147 committee, the license shall remain in effect until the
148 termination date under 20 CSR 2095-2.005.

149 (3) The division may refuse to issue a provisional
150 professional counselor license through the expedited process
151 described in this subsection to an applicant who has a
152 criminal record that could disqualify him or her from
153 licensure in this state, who has had his or her license
154 denied or revoked in any state, or who is currently under
155 investigation, has a complaint pending, or is under
156 disciplinary action in any state.

157 6. All persons licensed to practice professional
158 counseling in this state shall pay on or before the license
159 renewal date a renewal license fee and shall furnish to the
160 committee satisfactory evidence of the completion of the
161 requisite number of hours of continuing education as
162 required by rule, including two hours of suicide assessment,
163 referral, treatment, and management training, which shall be
164 no more than forty hours biennially. The continuing
165 education requirements may be waived by the committee upon
166 presentation to the committee of satisfactory evidence of
167 the illness of the licensee or for other good cause.

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