

SENATE BILL NO. 1329

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5182S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 334, RSMo, by adding thereto eight new sections relating to the licensure of naturopathic physicians.

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

Section A. Chapter 334, RSMo, is amended by adding thereto
2 eight new sections, to be known as sections 334.1051, 334.1053,
3 334.1056, 334.1059, 334.1062, 334.1065, 334.1068, and 334.1071,
4 to read as follows:

**334.1051. 1. Sections 334.1051 to 334.1071 shall be
2 known and may be cited as the "Naturopathic Physicians
3 Practice Act".**

**4 2. As used in sections 334.1051 to 334.1071, the
5 following terms mean:**

**6 (1) "Approved naturopathic medical education program",
7 an education program that the board has approved as meeting
8 the requirements of section 334.1059 and that prepares
9 naturopathic physicians for the practice of naturopathic
10 medicine;**

11 (2) "Board", the board of naturopathic medicine;

**12 (3) "Clinical laboratory procedure", the use of
13 venipuncture consistent with naturopathic medical practice,
14 commonly used diagnostic modalities consistent with
15 naturopathic practice, the recording of a patient's health
16 history, physical examinations, and the ordering and
17 interpretation of radiographic diagnostics and other**

18 standard imaging and examinations of body orifices,
19 excluding endoscopy and colonoscopy. The term "clinical
20 laboratory procedure" includes the practice of obtaining
21 samples of human tissue, except surgical excision beyond any
22 surgical excision that is authorized as a minor office
23 procedure;

24 (4) "Controlled substance", a drug, substance or
25 immediate precursor enumerated in Schedules I through V of
26 section 195.017;

27 (5) "Division", the division of professional
28 registration within the department of commerce and insurance;

29 (6) "Drug", the same meaning as such term is defined
30 in section 195.010;

31 (7) "Fund", the board of naturopathic medicine fund;

32 (8) "Laboratory examination", phlebotomy, a clinical
33 laboratory procedure, an orifice examination, a
34 physiological function test, or a screening or test that is
35 consistent with naturopathic education and training;

36 (9) "License", a license issued by the board to an
37 individual authorizing that individual to practice
38 naturopathic medicine in this state pursuant to sections
39 334.1051 to 334.1071 and rules of the board;

40 (10) "Licensee", an individual who holds a license;

41 (11) "Minor office procedure", minor surgical care and
42 procedures, including, but not limited to, the following:

43 (a) Surgical care incidental to superficial
44 laceration, lesion, or abrasion, excluding surgical care to
45 treat a lesion suspected of malignancy;

46 (b) The removal of foreign bodies located in
47 superficial structures, excluding the globe of the eye;

48 (c) Trigger point therapy;

49 (d) Dermal stimulation;

50 (e) Allergy testing and treatment; and

51 (f) The use of antiseptics and topical or local
52 anesthetics;

53 (12) "Naturopathic medicine", a system of health care
54 for the prevention, diagnosis, and treatment of human health
55 conditions, injury, and disease, the promotion or
56 restoration of health, and the support and stimulation of a
57 patient's inherent self-healing processes through patient
58 education and the use of naturopathic therapies and
59 therapeutic substances;

60 (13) "Naturopathic physical medicine", the use of one
61 or more of the following physical agents in a manner
62 consistent with naturopathic medical practice on a part or
63 the whole of the body, by hand or by mechanical means, in
64 the resolution of a human ailment or condition: air, water,
65 heat, cold, sound, light, electromagnetism, nondiagnostic
66 ultrasound, cold laser, colon hydrotherapy, soft tissue
67 therapy, joint mobilization, therapeutic exercise,
68 naturopathic manipulation, and treatments taught in any
69 approved naturopathic medical college that are not otherwise
70 prohibited by sections 334.1051 to 334.1071. The term
71 "naturopathic physical medicine" shall not include the
72 practice of physical therapy or the application of
73 chiropractic adjustments and the principles or techniques of
74 chiropractic science;

75 (14) "Naturopathic physician", an individual licensed
76 in accordance with sections 334.1051 to 334.1071 to practice
77 naturopathic medicine in this state;

78 (15) "Nutritional counseling", the prevention and
79 treatment of disease or other human conditions through the
80 use of food, water, herbs, roots, bark, or natural food
81 elements;

82 (16) "Prescription", the same meaning as such term is
83 defined in section 338.095;

84 (17) "Professional examination", a competency-based
85 national naturopathic physician licensing examination
86 administered by the North American Board of Naturopathic
87 Examiners, or its successor agency, which board has been
88 nationally recognized to administer a naturopathic
89 examination that represents federal standards of education
90 and training;

91 (18) "Therapeutic substance", any of the following
92 exemplified in a standard naturopathic medical text,
93 journal, or pharmacopeia: a botanical medicine, drug,
94 homeopathic medicine, hormone, hormonal or pharmaceutical
95 contraceptive device, mineral, nutraceutical, oxygen,
96 vitamin, or any other physiological substance.

334.1053. The board shall license an applicant who:

2 (1) Is of good moral character, in accordance with
3 standards established by the rules of the board;

4 (2) Submits, in accordance with rules of the board,
5 the following items to the board:

6 (a) An application for licensure designed and approved
7 by the board;

8 (b) An application fee submitted in an amount and
9 manner established by the rules of the board;

10 (c) Evidence that the applicant has graduated from an
11 approved naturopathic medical education program;

12 (d) Evidence that the applicant has successfully
13 completed a competency-based national naturopathic medicine
14 licensing examination;

15 (e) Evidence that the applicant has passed a pharmacy
16 examination authorized by the rules of the board and

17 administered by the North American Board of Naturopathic
18 Examiners;

19 (f) Evidence that the applicant has passed a state
20 jurisprudence examination that meets standards established
21 by the rules of the board; and

22 (g) Evidence of professional liability insurance with
23 policy limits not less than those prescribed by the board;

24 (3) Is determined by the board to be physically and
25 mentally capable of safely practicing naturopathic medicine
26 with or without reasonable accommodation; and

27 (4) Has not had a license to practice naturopathic
28 medicine or other health care license, registration, or
29 certification refused, revoked, or suspended by any other
30 jurisdiction for reasons that relate to the applicant's
31 ability to skillfully and safely practice naturopathic
32 medicine, unless that license, registration, or
33 certification has been restored to good standing by the
34 jurisdiction.

334.1056. 1. There is hereby established the "Board
2 of Naturopathic Medicine" within the division of
3 professional registration.

4 2. The board shall consist of five members appointed
5 by the governor, with the advice and consent of the senate.
6 All of the members shall be residents of this state. Except
7 as provided in subsection 3 of this section, three members
8 shall be licensed as naturopathic physicians pursuant to
9 sections 334.1051 to 334.1071. One member shall be a
10 physician or surgeon licensed pursuant to section 334.031.
11 One member shall be a member of the public as provided by
12 subsection 4 of this section. The initial appointments of
13 members to the board shall be one member for a term of one
14 year, one member for a term of two years, two members for

15 terms of three years, and one member for a term of four
16 years. After the initial appointments, all members shall be
17 appointed for terms of three years, and no member of the
18 board shall serve more than three terms.

19 3. The initial three members of the board serving as
20 the naturopathic physician members shall have at least two
21 years of experience in the practice of naturopathic medicine
22 and shall be eligible to become licensed pursuant to
23 sections 334.051 to 334.1071. After the initial
24 appointments of members to the board, each naturopathic
25 physician member shall be licensed pursuant to sections
26 334.051 to 334.1071 and shall actively practice naturopathic
27 medicine in this state for the duration of his or her term.

28 4. The public member shall be, at the time of his or
29 her appointment, a citizen of the United States, a resident
30 of this state for a period of at least one year, and a
31 registered voter. The public member shall not have been a
32 member of any profession licensed or regulated pursuant to
33 sections 334.1051 to 334.1071 or an immediate family member
34 of a member of such profession, and shall not have a
35 material, financial interest in either the provision of
36 naturopathic medicine or in an activity or organization
37 directly related to any profession licensed or regulated
38 pursuant to sections 334.051 to 334.1071. The duties of the
39 public member shall not include the determination of the
40 technical requirements for licensure, whether an applicant
41 for licensure meets such technical requirements, or of the
42 technical competence or judgment of a licensee or an
43 applicant for licensure.

44 5. In the event of death, resignation, or removal of
45 any member of the board before the expiration of his or her

46 term, the vacancy shall be filled for the unexpired portion
47 of the term in the same manner as the original appointment.

48 6. The governor may remove a member of the board for
49 misconduct, incompetence, or neglect of official duties
50 after giving the member written notice of the charges and
51 allowing the member an opportunity to be heard.

52 7. Notwithstanding any other provision of law to the
53 contrary, any appointed member of the board shall receive as
54 compensation an amount established by the director of the
55 division not to exceed seventy-five dollars for each day
56 related to the business of the board in addition to any
57 actual and necessary expenses, including, but not limited
58 to, travel expenses. The director of the division shall
59 establish, by rule, guidelines for payment. All staff of
60 the board shall be provided by the division.

61 8. The board shall, within thirty days after the
62 initial appointment of the members and at least annually
63 thereafter, hold a meeting and elect from the members a
64 chair, vice chair, and secretary. The board may hold
65 additional meetings as may be required in the performance of
66 the duties of the board at the call of the chair or upon the
67 written request of any two members of the board. A notice
68 of every meeting of the board shall be given to each member
69 at least three days prior to the date of the meeting. The
70 board may appoint such committees as it considers necessary
71 to carry out the duties provided by sections 334.051 to
72 334.1071. A quorum of the board shall consist of a majority
73 of the members. The affirmative vote of a majority of a
74 quorum of the board is required to adopt a motion,
75 resolution, rule, or measure.

334.1059. The board shall establish, by rule,
2 guidelines for the licensure requirements provided in

3 section 334.1053 relating to graduation from an approved
4 naturopathic medical education program and successful
5 completion of a competency-based national naturopathic
6 medicine licensing examination. The guidelines shall meet
7 the requirements of this section and the board's
8 specifications for the education of naturopathic
9 physicians. The approved naturopathic medical education
10 program shall, at a minimum, require:

11 (1) Graduation from:

12 (a) A naturopathic medical education program in the
13 United States providing the degree of doctor of naturopathic
14 medicine, which shall:

15 a. Offer graduate-level, full-time didactic and
16 supervised clinical training;

17 b. Be accredited or have achieved candidacy status for
18 accreditation by the Council on Naturopathic Medical
19 Education, or an equivalent federally-recognized accrediting
20 body for naturopathic medical programs recognized by the
21 board; and

22 c. Be an institution of higher education or part of an
23 institution of higher education that is either accredited or
24 is a candidate for accreditation by a regional or national
25 institutional accrediting agency recognized by the United
26 States Secretary of Education;

27 (b) A degree-granting institution of higher education
28 that, prior to the existence of the Council on Naturopathic
29 Medical Education, offered a full-time, structured
30 curriculum in basic sciences and supervised patient care
31 comprising a doctoral naturopathic medical education
32 requiring not less than one hundred thirty-two weeks of
33 coursework to be completed within a period of not less than
34 thirty-five months, was reputable and in good standing in

35 the judgment of the board, and if still in existence, has
36 current programmatic accreditation by the Council on
37 Naturopathic Medical Education or a federally-recognized
38 equivalent accrediting agency;

39 (c) A diploma-granting, degree-equivalent institution
40 of higher education located in Canada that, prior to the
41 existence of the Council on Naturopathic Medical Education,
42 had provincial approval for participation in government-
43 funded student aid programs, offered a full-time, structured
44 curriculum in basic sciences and supervised patient care
45 comprising a doctoral naturopathic medical education
46 requiring not less than one hundred thirty-two weeks of
47 coursework to be completed within a period of not less than
48 thirty months, was reputable and in good standing in the
49 judgment of the board, and if still in existence, has
50 current programmatic accreditation by the Council on
51 Naturopathic Medical Education or a federally-recognized
52 equivalent accrediting agency and has current provincial
53 approval for participation in government-funded student aid
54 programs; or

55 (d) A diploma-granting, degree-equivalent institution
56 of higher education located in Canada that has provincial
57 approval for participation in government-funded student aid
58 programs, offers graduate-level, full-time didactic and
59 supervised clinical training, and is accredited or has
60 achieved candidacy status for accreditation by the Council
61 on Naturopathic Medical Education or an equivalent federally-
62 recognized accrediting body for naturopathic medical
63 programs recognized by the board; and

64 (2) Successful completion of a competency-based
65 national naturopathic medicine licensing examination
66 administered by the North American Board of Naturopathic

67 Examiners or an equivalent agency recognized by the board,
68 or for graduates of approved naturopathic medical programs
69 in the United States prior to the existence of the Council
70 on Naturopathic Medical Education, a competency-based state
71 naturopathic medicine licensing examination or equivalent
72 Canadian provincial licensing examination for the practice
73 of naturopathic medicine approved by the board.

334.1062. 1. A licensee shall display his or her
2 license in his or her place of business in a location
3 clearly visible to the licensee's patients and shall display
4 evidence of the licensee having completed an approved
5 naturopathic medical education program.

6 2. A licensee who practices, conducts affairs, or is
7 employed at more than one location and who maintains a
8 continuing activity as authorized by the license shall
9 display a duplicate copy of such license issued by the board
10 at each location.

11 3. A licensee may practice naturopathic medicine to
12 provide primary care in alignment with naturopathic medical
13 education by:

14 (1) Performing physical examinations;
15 (2) Ordering laboratory examinations;
16 (3) Performing clinical laboratory procedures;
17 (4) Ordering diagnostic imaging studies including, but
18 not limited to, x-rays, ultrasounds, mammograms, bone
19 densitometries, computed tomographies, magnetic resonance
20 imaging, and electrocardiograms;

21 (5) Based on a radiologist's report, taking action on
22 diagnostic imaging studies in a manner consistent with
23 naturopathic training;

24 (6) Interpreting the results of laboratory
25 examinations for diagnostic purposes;

26 (7) Prescribing, administering, dispensing, and
27 ordering food, extracts of food, nutraceuticals, vitamins,
28 amino acids, minerals, enzymes, botanicals and their
29 extracts, botanical medicines, homeopathic medicines, human
30 cellular and tissue-based products that are not regulated as
31 drugs, and dietary supplements and nonprescription drugs as
32 such terms are defined by the Federal Food, Drug, and
33 Cosmetic Act, 21 U.S.C. Sections 321 and 355h;

34 (8) Prescribing, administering, dispensing, and
35 ordering:

36 (a) All controlled substances within Schedules III,
37 IV, and V as provided in section 195.017; or

38 (b) Durable medical equipment and devices;

39 (9) Administering substances authorized for
40 intradermal, subcutaneous, intramuscular, intravenous,
41 ligamentous, tendinous, periarticular, intra-articular,
42 intravaginal, and intrauterine administration consistent
43 with the education and training of a naturopathic physician;

44 (10) Using routes of administration for substances
45 that include oral, nasal, auricular, ocular, rectal,
46 vaginal, transdermal, intradermal, subcutaneous,
47 intravenous, intra-articular, and intramuscular consistent
48 with the education and training of a naturopathic physician;

49 (11) Performing naturopathic physical medicine;

50 (12) Using therapeutic devices, barrier contraception,
51 intrauterine devices, hormonal and pharmaceutical
52 contraception, and durable medical equipment;

53 (13) Performing minor office procedures;

54 (14) Providing biofeedback and neurofeedback
55 therapies; or

56 (15) Providing health care counseling, nutritional
57 counseling, and dietary therapy.

58 4. A licensee who prescribes in accordance with
59 subsection 3 of this section shall:

60 (1) Record each prescription order in writing, which
61 may include an electronically recorded and transmitted
62 communication. The order shall include the name, address,
63 and telephone number of the licensee;

64 (2) Prescribe only when the licensee has adequate
65 education, training, and experience to safely manage the
66 medical regimen; and

67 (3) Register with the United States Drug Enforcement
68 Administration in order to prescribe controlled substances
69 authorized by sections 334.1051 to 334.1071.

70 5. A licensee shall refer to a physician licensed and
71 authorized to engage in the practice of medicine as
72 described in section 334.010 any patient whose medical
73 condition should, at the time of evaluation or treatment, be
74 determined to be beyond the scope of practice of the
75 licensee.

76 6. A licensee shall not:

77 (1) Perform surgery outside of the scope of minor
78 office procedures permitted in the employment of
79 naturopathic therapy;

80 (2) Use general or spinal anesthetics;

81 (3) Administer ionizing radioactive substances for
82 therapeutic purposes;

83 (4) Perform a surgical procedure using a laser device;

84 (5) Perform a surgical procedure involving any of the
85 following areas of the body that extend beyond superficial
86 tissue: eyes, ears, tendons, nerves, veins, or arteries;

87 (6) Perform an abortion, as such term is defined in
88 section 188.015;

89 (7) Treat any lesion suspected of malignancy or
90 requiring surgical removal; or

91 (8) Perform chiropractic adjustments.

92 7. (1) A licensee shall have the exclusive right to
93 use the following titles or abbreviations in reference to
94 himself or herself: "naturopathic physician", "naturopathic
95 doctor", "doctor of naturopathic medicine", "N.D.", "ND",
96 "N.M.D.", and "NMD".

97 (2) An individual represents himself or herself to be
98 a naturopathic physician or naturopathic doctor when the
99 individual uses or adopts any of the following titles or
100 abbreviations in reference to himself or herself:

101 "naturopathic physician", "naturopathic doctor", "doctor of
102 naturopathic medicine", "N.D.", "ND", "N.M.D.", and "NMD".

103 (3) An individual shall not represent himself or
104 herself to the public as a naturopathic physician,
105 naturopathic doctor, doctor of naturopathic medicine, or as
106 being otherwise authorized to practice naturopathic medicine
107 in the state, unless he or she is a licensee.

 334.1065. Nothing in sections 334.1051 to 334.1071
2 shall be construed to prohibit or to restrict:

3 (1) The practice of a health care profession by an
4 individual who is licensed, certified, or registered under
5 the laws of this state and who is performing services within
6 the individual's authorized scope of practice;

7 (2) The practice of naturopathic medicine by a student
8 enrolled in an approved naturopathic medical education
9 program, provided that the practice of naturopathic medicine
10 by the student is performed as specified by a course of
11 instruction or an assignment from an instructor and under
12 the supervision of an instructor who is a licensee or a duly
13 licensed professional in the instructed field;

14 (3) Any individual that sells a vitamin or herb from
15 providing information about the vitamin or herb;

16 (4) The practice of naturopathic medicine by an
17 individual who is licensed to practice in any other state or
18 district in the United States and who enters this state to
19 consult with a naturopathic physician of this state,
20 provided that the consultation is limited to examination,
21 recommendation, or testimony in litigation; or

22 (5) Any individual or practitioner who is not licensed
23 as a naturopathic physician from recommending ayurvedic
24 medicine, herbal remedies, nutritional advice, homeopathy,
25 or other therapy that is within the scope of practice of
26 naturopathic medicine, provided that the individual or
27 practitioner shall not:

28 (a) Use a title protected under subsection 7 of
29 section 334.1062;

30 (b) Represent or assume the character or appearance of
31 a licensee; or

32 (c) Use a name, title, or other designation that
33 indicates or implies that the individual is a licensee.

334.1068. 1. The board may refuse to issue, renew, or
2 reinstate any license required by sections 334.1051 to
3 334.1071 for one or any combination of causes provided in
4 subsection 2 of this section. The board shall notify the
5 applicant in writing of the reasons for the refusal and
6 shall advise the applicant of his or her right to file a
7 complaint with the administrative hearing commission as
8 provided by chapter 621.

9 2. The board may cause a complaint to be filed with
10 the administrative hearing commission as provided by chapter
11 621 against any holder of any license required by sections
12 334.1051 to 334.1071 or any person who has failed to renew

13 or has surrendered the person's license for any one or any
14 combination of the following causes:

15 (1) The person has been finally adjudicated and found
16 guilty, or entered a plea of guilty or nolo contendere, in a
17 criminal prosecution pursuant to the laws of any state, of
18 the United States, or of any country, for any offense
19 directly related to the duties and responsibilities of the
20 profession regulated by sections 334.1051 to 334.1071, as
21 set forth in section 324.012, regardless of whether or not
22 sentence is imposed;

23 (2) Use of fraud, deception, misrepresentation, or
24 bribery in securing any license issued pursuant to sections
25 334.1051 to 334.1071 or in obtaining permission to take any
26 examination given or required pursuant to sections 334.1051
27 to 334.1071;

28 (3) Obtaining or attempting to obtain any fee, charge,
29 tuition, or other compensation by fraud, deception, or
30 misrepresentation;

31 (4) Incompetency, misconduct, gross negligence, fraud,
32 misrepresentation, or dishonesty in the performance of the
33 functions or duties of the profession regulated by sections
34 334.1051 to 334.1071;

35 (5) Violation of, or assisting or enabling any person
36 to violate, any provision of sections 334.1051 to 334.1071,
37 or of any lawful rule or regulation adopted pursuant to
38 sections 334.1051 to 334.1071;

39 (6) Impersonation of any person holding a license or
40 allowing any other person to use his or her diploma from any
41 school;

42 (7) Disciplinary action against the holder of a
43 license or other right to practice the professions regulated
44 by sections 334.1051 to 334.1071 by another state,

45 territory, federal agency, or country upon grounds for which
46 revocation or suspension is authorized in this state;

47 (8) The person is finally adjudged insane or
48 incompetent by a court of competent jurisdiction;

49 (9) Issuance of a license based upon a material
50 mistake of fact; or

51 (10) Use of any advertisement or solicitation which is
52 false, misleading or deceptive to the general public or
53 persons to whom the advertisement or solicitation is
54 primarily directed.

55 3. Any individual, organization, association or
56 corporation who reports or provides information to the
57 division pursuant to the provisions of sections 334.1051 to
58 334.1071 and who does so in good faith and without
59 negligence shall not be subject to an action for civil
60 damages as a result thereof.

61 4. After the filing of a complaint pursuant to
62 subsection 2 of this section, the proceedings shall be
63 conducted in accordance with the provisions of chapter 621.
64 Upon a finding by the administrative hearing commission that
65 one or more of the causes for disciplinary action provided
66 in subsection 2 of this section are met, the board may,
67 singly or in combination, censure or place the person named
68 in the complaint on probation or suspension or revoke the
69 license of the person on such terms and conditions as the
70 division deems appropriate.

334.1071. 1. The board shall adopt rules that are
2 necessary or proper for the administration of sections
3 334.1051 to 334.1071 including, but not limited to, rules:

4 (1) Regulating the licensure of naturopathic
5 physicians and determining the hours of continuing education

6 units required for maintaining licensure as a naturopathic
7 physician;

8 (2) Prescribing the manner in which records of
9 examinations and treatments shall be kept and maintained;

10 (3) Establishing standards for professional
11 responsibility and conduct;

12 (4) Identifying disciplinary actions and circumstances
13 that require disciplinary action;

14 (5) Developing a means to provide information to all
15 licensees in the state;

16 (6) Providing for the investigation of complaints
17 against licensees or individuals holding themselves out as
18 naturopathic physicians in the state;

19 (7) Providing for the publication of information for
20 the public about licensees and the practice of naturopathic
21 medicine in the state;

22 (8) Providing for an orderly process for reinstatement
23 of a license;

24 (9) Establishing criteria for advertising or
25 promotional materials;

26 (10) Establishing continuing education requirements
27 and acceptable content;

28 (11) Establishing standards for the state
29 jurisprudence examination;

30 (12) Establishing schedules for providing licensing
31 examinations and for the issuance of examination results;

32 (13) Establishing procedures and standards for
33 reviewing licensing examination scores;

34 (14) Establishing procedures for reviewing transcripts
35 demonstrating completion of the approved naturopathic
36 medical education program;

37 (15) Establishing the requirements for issuance and
38 renewal of licenses; and

39 (16) Regulating any other matter necessary to
40 implement sections 334.1051 to 334.1071.

41 2. The board shall establish and maintain a list of
42 naturopathic medical education programs that meet the
43 statutory requirements of section 334.1059.

44 3. The board shall administer and enforce the
45 provisions of sections 334.1051 to 334.1071 and all rules
46 adopted by the board pursuant to the authority granted in
47 sections 334.1051 to 334.1071.

48 4. The board shall set the amount of the fees which
49 sections 334.1051 to 334.1071 authorize and require by rules
50 and regulations promulgated under section 536.021. The fees
51 shall be set at a level to produce revenue, which shall not
52 substantially exceed the cost and expenses of administering
53 sections 334.1051 to 334.1071.

54 5. (1) There is hereby created in the state treasury
55 the "Board of Naturopathic Medicine Fund", which shall
56 consist of moneys collected pursuant to sections 334.1051 to
57 334.1071. The state treasurer shall be custodian of the
58 fund. In accordance with sections 30.170 and 30.180, the
59 state treasurer may approve disbursements. The fund shall
60 be a dedicated fund and money in the fund shall be used
61 solely by the board for the purposes of administration and
62 enforcement of sections 334.1051 to 334.1071 by the board.

63 (2) Notwithstanding the provisions of section 33.080
64 to the contrary, any moneys remaining in the fund at the end
65 of the biennium shall not revert to the credit of the
66 general revenue fund.

67 (3) The state treasurer shall invest moneys in the
68 fund in the same manner as other funds are invested. Any

69 interest and moneys earned on such investments shall be
70 credited to the fund.

71 6. The board shall employ permanent or temporary
72 personnel it deems necessary to carry out the purposes of
73 sections 334.1051 to 334.1071 and designate duties of such
74 personnel.

75 7. Any rule or portion of a rule, as that term is
76 defined in section 536.010, that is created under the
77 authority delegated in sections 334.1051 to 334.1071 shall
78 become effective only if it complies with and is subject to
79 all of the provisions of chapter 536 and, if applicable,
80 section 536.028. This section and chapter 536 are
81 nonseverable and if any of the powers vested with the
82 general assembly pursuant to chapter 536 to review, to delay
83 the effective date, or to disapprove and annul a rule are
84 subsequently held unconstitutional, then the grant of
85 rulemaking authority and any rule proposed or adopted after
86 August 28, 2024, shall be invalid and void.

✓