

FIRST REGULAR SESSION

[PERFECTED]

SENATE SUBSTITUTE FOR

# SENATE BILL NO. 61

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

0441S.06P

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 324.009, 334.031, 334.035, 345.050, and 361.909, RSMo, and to enact in lieu thereof six new sections relating to professional licensing.

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

Section A. Sections 324.009, 334.031, 334.035, 345.050,  
2 and 361.909, RSMo, are repealed and six new sections enacted in  
3 lieu thereof, to be known as sections 324.004, 324.009, 334.031,  
4 334.035, 345.050, and 361.909, to read as follows:

324.004. 1. Any person who has at least three years  
2 of work experience in an occupation or profession in another  
3 state, the District of Columbia, or any combination of such  
4 jurisdictions, and whose work experience involved the  
5 practice of an occupation or profession for which a license  
6 is not required in the jurisdiction or jurisdictions in  
7 which the person worked but is required in this state, may  
8 submit an application for a one-time nonrenewable two-year  
9 temporary license in this state in the occupation or  
10 profession, along with proof of at least three years of work  
11 experience in the occupation or profession and a fee as set  
12 by regulation of the oversight body, to the relevant  
13 oversight body in this state. The oversight body shall make

**EXPLANATION-**Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

14 a determination of qualification within forty-five days of  
15 receiving a completed application.

16 2. The oversight body shall require an applicant under  
17 this section to take and pass the examination specific to  
18 the occupation or profession which is required for licensure  
19 by those individuals applying pursuant to the provisions of  
20 the oversight body's statutory and regulatory authority. An  
21 oversight body that administers an examination on the laws  
22 of this state as part of its licensing application  
23 requirements may require an applicant under this section to  
24 take and pass an examination specific to the laws of this  
25 state.

26 3. The oversight body shall not issue a one-time  
27 nonrenewable temporary license to any applicant described in  
28 subsection 1 of this section who has had any license in the  
29 relevant occupation or profession revoked by an oversight  
30 body outside of this state, who is currently under  
31 investigation, who has a complaint pending, or who is  
32 currently under disciplinary action.

33 4. Applicants for the one-time nonrenewable temporary  
34 license shall be citizens of the United States and shall  
35 submit legal proof of citizenship as part of the application.

36 5. If an applicant is not currently residing in this  
37 state, the oversight board shall conditionally approve the  
38 application contingent upon receipt of proof of domicile in  
39 this state within ninety days of the applicant receiving the  
40 temporary license. If the applicant fails to provide proof  
41 within ninety days of receiving the temporary license, the  
42 oversight board may terminate the temporary license and the  
43 applicant may reapply for a temporary license.

44 6. The provisions of this section shall not apply to  
45 the following:

46           (1) Any occupation whose oversight body has entered  
47 into a licensing compact with another state for the  
48 regulation of practice under the oversight body's  
49 jurisdiction. The provisions of this section shall not be  
50 construed to alter the authority granted by, or any  
51 requirements promulgated pursuant to, any  
52 interjurisdictional or interstate compacts adopted by this  
53 state or any reciprocity agreements with other states, and  
54 whenever possible the provisions of this section shall be  
55 interpreted so as to imply no conflict between it and any  
56 compact or any reciprocity agreement with other states;

57           (2) Any occupation set forth in subsection 6 of  
58 section 290.257 or any electrical contractor licensed under  
59 sections 324.900 to 324.945;

60           (3) Any occupation whose regulators or licensees are  
61 required to comply with specific federal statutory,  
62 regulatory, and administrative requirements in order to  
63 practice in this state; or

64           (4) Assistant physicians licensed under chapter 334.

65           7. The one-time nonrenewable temporary license shall  
66 expire after two years. Upon expiration, the individual  
67 shall be required to apply for a permanent license in  
68 accordance with the license requirements for the occupation  
69 for which he or she held the temporary license.

70           8. Notwithstanding any other provision of law to the  
71 contrary, a license issued under this section shall be valid  
72 only in this state and shall not make a licensee eligible to  
73 be part of an interstate compact. An applicant who is  
74 licensed in another state pursuant to an interstate compact  
75 shall not be eligible for licensure by an oversight body  
76 under the provisions of this section.

77           9. Notwithstanding any other provision of law to the  
78 contrary, a license issued under this section shall be valid  
79 only in this state and shall not make a licensee eligible to  
80 obtain a license by reciprocity in another state.

81           10. As used in this section, the term "oversight body"  
82 means any board, department, agency, or office of a  
83 jurisdiction that issues occupational or professional  
84 licenses.

85           11. The division of professional registration may  
86 promulgate rules to implement the provisions of this  
87 section. Any rule or portion of a rule, as that term is  
88 defined in section 536.010, that is created under the  
89 authority delegated in this section shall become effective  
90 only if it complies with and is subject to all of the  
91 provisions of chapter 536 and, if applicable, section  
92 536.028. This section and chapter 536 are nonseverable and  
93 if any of the powers vested with the general assembly  
94 pursuant to chapter 536 to review, to delay the effective  
95 date, or to disapprove and annul a rule are subsequently  
96 held unconstitutional, then the grant of rulemaking  
97 authority and any rule proposed or adopted after August 28,  
98 2025, shall be invalid and void.

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

3           (1) "License", a license, certificate, registration,  
4 permit, accreditation, or military occupational speciality  
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

Forces of the United States, and all reserve components and auxiliaries. Such term also includes the military reserves and militia of any United States territory or state;

(3) **"Missouri law enforcement officer", any person employed by or otherwise serving in a position for the state or a local governmental entity in the state of Missouri as a police officer, peace officer certified under chapter 590, auxiliary police officer, sheriff, sheriff's deputy, member of the patrol as that term is defined in section 43.010, or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life and who is a permanent resident of the state of Missouri or who is domiciled in the state of Missouri;**

(4) **"Nonresident military or law enforcement spouse" [, ]:**

(a) A nonresident spouse of an active duty member of the Armed Forces of the United States who has been transferred or is scheduled to be transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis; **or**

(b) **A nonresident spouse of a person residing outside the state of Missouri who has accepted an offer of employment with the state or a local governmental entity in the state of Missouri and who will become a Missouri law enforcement officer upon the commencement of such employment;**

[(4)] (5) **"Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses;**

[(5)] (6) **"Resident military or law enforcement spouse", a spouse of an active duty member of the Armed Forces of the United States who has been transferred or is**

43 scheduled to be transferred to the state of Missouri or an  
44 adjacent state and who is a permanent resident of the state  
45 of Missouri, who is domiciled in the state of Missouri, or  
46 who has Missouri as his or her home of record, **or a spouse**  
47 **of a Missouri law enforcement officer.**

48 2. Any person who holds a valid current license issued  
49 by another state, a branch or unit of the military, a  
50 territory of the United States, or the District of Columbia,  
51 and who has been licensed for at least one year in such  
52 other jurisdiction, may submit an application for a license  
53 in Missouri in the same occupation or profession, and at the  
54 same practice level, for which he or she holds the current  
55 license, along with proof of current licensure and proof of  
56 licensure for at least one year in the other jurisdiction,  
57 to the relevant oversight body in this state.

58 3. The oversight body in this state shall:

59 (1) Within six months of receiving an application  
60 described in subsection 2 of this section, waive any  
61 examination, educational, or experience requirements for  
62 licensure in this state for the applicant if it determines  
63 that there were minimum education requirements and, if  
64 applicable, work experience and clinical supervision  
65 requirements in effect and the other state verifies that the  
66 person met those requirements in order to be licensed or  
67 certified in that state. An oversight body that administers  
68 an examination on laws of this state as part of its  
69 licensing application requirement may require an applicant  
70 to take and pass an examination specific to the laws of this  
71 state; or

72 (2) Within thirty days of receiving an application  
73 described in subsection 2 of this section from a nonresident  
74 military **or law enforcement** spouse or a resident military **or**

75 **law enforcement** spouse, waive any examination, educational,  
76 or experience requirements for licensure in this state for  
77 the applicant and issue such applicant a license under this  
78 section if such applicant otherwise meets the requirements  
79 of this section.

80 4. (1) The oversight body shall not waive any  
81 examination, educational, or experience requirements for any  
82 applicant who has had his or her license revoked by an  
83 oversight body outside the state; who is currently under  
84 investigation, who has a complaint pending, or who is  
85 currently under disciplinary action, except as provided in  
86 subdivision (2) of this subsection, with an oversight body  
87 outside the state; who does not hold a license in good  
88 standing with an oversight body outside the state; who has a  
89 criminal record that would disqualify him or her for  
90 licensure in Missouri; or who does not hold a valid current  
91 license in the other jurisdiction on the date the oversight  
92 body receives his or her application under this section.

93 (2) If another jurisdiction has taken disciplinary  
94 action against an applicant, the oversight body shall  
95 determine if the cause for the action was corrected and the  
96 matter resolved. If the matter has not been resolved by  
97 that jurisdiction, the oversight body may deny a license  
98 until the matter is resolved.

99 5. Nothing in this section shall prohibit the  
100 oversight body from denying a license to an applicant under  
101 this section for any reason described in any section  
102 associated with the occupation or profession for which the  
103 applicant seeks a license.

104 6. Any person who is licensed under the provisions of  
105 this section shall be subject to the applicable oversight  
106 body's jurisdiction and all rules and regulations pertaining

107 to the practice of the licensed occupation or profession in  
108 this state.

109 7. This section shall not be construed to waive any  
110 requirement for an applicant to pay any fees, post any bonds  
111 or surety bonds, or submit proof of insurance associated  
112 with the license the applicant seeks.

113 8. This section shall not apply to business,  
114 professional, or occupational licenses issued or required by  
115 political subdivisions.

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

119 10. [The provisions of this section shall not apply to  
120 an oversight body that has entered into a licensing compact  
121 with another state for the regulation of practice under the  
122 oversight body's jurisdiction.] The provisions of this  
123 section shall not be construed to alter the authority  
124 granted by, or any requirements promulgated pursuant to, any  
125 interjurisdictional or interstate compacts adopted by  
126 Missouri statute or any reciprocity agreements with other  
127 states in effect [on August 28, 2018], and whenever possible  
128 this section shall be interpreted so as to imply no conflict  
129 between it and any compact, or any reciprocity agreements  
130 with other states in effect [on August 28, 2018].

131 11. Notwithstanding any other provision of law, a  
132 license issued under this section shall be valid only in  
133 this state and shall not make a licensee eligible to be part  
134 of an interstate compact. An applicant who is licensed in  
135 another state pursuant to an interstate compact shall not be  
136 eligible for licensure by an oversight body under the  
137 provisions of this section.



138           12. The provisions of this section shall not apply to  
139 any occupation set forth in subsection 6 of section 290.257,  
140 or any electrical contractor licensed under sections 324.900  
141 to 324.945.

          334.031. 1. Candidates for licenses as physicians and  
2 surgeons shall furnish [satisfactory evidence of their good  
3 moral character, and their preliminary qualifications, to  
4 wit: a certificate of graduation from an accredited high  
5 school or its equivalent, and satisfactory evidence of  
6 completion of preprofessional education consisting of a  
7 minimum of sixty semester hours of college credits in  
8 acceptable subjects leading towards the degree of bachelor  
9 of arts or bachelor of science from an accredited college or  
10 university. They shall also furnish satisfactory evidence  
11 of having attended throughout at least four terms of thirty-  
12 two weeks of actual instructions in each term and of having  
13 received a diploma from some reputable medical college or  
14 osteopathic college that enforces requirements of four terms  
15 of thirty-two weeks for actual instruction in each term,  
16 including, in addition to class work, such experience in  
17 operative and hospital work during the last two years of  
18 instruction as is required by the American Medical  
19 Association and the American Osteopathic Association before  
20 the college is approved and accredited as reputable. Any  
21 medical college approved and accredited as reputable by the  
22 American Medical Association or the Liaison Committee on  
23 Medical Education and any osteopathic college approved and  
24 accredited as reputable by the American Osteopathic  
25 Association is deemed to have complied with the requirements  
26 of this subsection]:

27           **(1) Evidence of good moral character by submitting to**  
28 **a criminal background check as provided in section 43.540;**

29           (2) A diploma and academic transcripts from a school  
30 accredited by the Liaison Committee on Medical Education,  
31 the Commission on Osteopathic College Accreditation, the  
32 Educational Commission for Foreign Medical Graduates  
33 (ECFMG), or a similar accrediting agency; and

34           (3) A certificate demonstrating that the applicant has  
35 satisfied the requirements of section 334.035. An applicant  
36 who holds a valid certificate issued by the ECFMG shall  
37 submit satisfactory evidence of successful completion of two  
38 years of such training. Except as provided in subsection 3  
39 of this section, the board shall not require applicants to  
40 provide information regarding the internship or resident  
41 training in addition to what the applicant is required to  
42 furnish by this subsection.

43           2. In determining the qualifications necessary for  
44 licensure as a qualified physician and surgeon, the board,  
45 by rule and regulation, may accept the certificate of the  
46 National Board of Medical Examiners of the United States,  
47 chartered pursuant to the laws of the District of Columbia,  
48 of the National Board of Examiners for Osteopathic  
49 Physicians and Surgeons chartered pursuant to the laws of  
50 the state of Indiana, or of the Licentiate of the Medical  
51 Counsel of Canada (LMCC) in lieu of and as equivalent to its  
52 own professional examination. Every applicant for a license  
53 on the basis of such certificate, upon making application  
54 showing necessary qualifications as provided in subsection 1  
55 of this section, shall be required to pay the same fee  
56 required of applicants to take the examination before the  
57 board.

58           3. The board may require applicants to list all  
59 licenses to practice as a physician currently or previously  
60 held in any other state, territory, or country and to

61 disclose any past or pending investigations, discipline, or  
62 sanctions against each such license.

63 4. In addition to the criminal background screening  
64 required by this section, the board may obtain a report on  
65 the applicant from the National Practitioner Data Bank or  
66 the Federation of State Medical Boards.

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

3 (1) "ACGME", the Accreditation Council for Graduate  
4 Medical Education;

5 (2) "Applicant", an applicant for a permanent license  
6 as a physician and surgeon;

7 (3) "Hospital", the same meaning given to the term in  
8 section 197.020.

9 2. Except as otherwise provided in section 334.036,  
10 every applicant [for a permanent license as a physician and  
11 surgeon] shall provide the board with satisfactory evidence  
12 of having successfully completed such postgraduate training  
13 in hospitals or medical or osteopathic colleges as the board  
14 may prescribe by rule.

15 3. Any applicant who has completed unaccredited  
16 postgraduate training in a medical subspecialty for which no  
17 program accredited by ACGME exists shall be deemed to have  
18 satisfactorily completed the training requirements of 20  
19 C.S.R. 2150-2.004(2) or any successor regulation if such  
20 unaccredited postgraduate training occurred in a teaching  
21 hospital accredited by ACGME. The training period shall be  
22 equal to or exceed an accredited postgraduate training  
23 program.

24 4. The board shall waive the training requirements of  
25 20 C.S.R. 2150-2.004(2) or any successor regulation for any  
26 applicant who is licensed as a physician in good standing in

27 **another state and has been in good standing more than three**  
28 **years.**

345.050. To be eligible for licensure by the board by  
2 examination, each applicant shall submit the application fee  
3 and shall furnish evidence of such person's current  
4 competence and shall:

5 (1) Hold a master's or a doctoral degree from a  
6 program that was awarded "accreditation candidate" status or  
7 is accredited by the Council on Academic Accreditation of  
8 the American Speech-Language-Hearing Association or other  
9 accrediting agency approved by the board in the area in  
10 which licensure is sought;

11 (2) Submit official transcripts from one or more  
12 accredited colleges or universities presenting evidence of  
13 the completion of course work and clinical practicum  
14 requirements equivalent to that required by the Council on  
15 Academic Accreditation of the American Speech-Language-  
16 Hearing Association or other accrediting agency approved by  
17 the board;

18 (3) Present written evidence of completion of a  
19 clinical fellowship from supervisors. The experience  
20 required by this subdivision shall follow the completion of  
21 the requirements of subdivisions (1) and (2) of this  
22 section. This period of employment shall be under the  
23 direct supervision of a [person who is licensed by the state  
24 of Missouri in the profession in which the applicant seeks  
25 to be] licensed **speech-language pathologist in good**

26 **standing.** Persons applying with an audiology clinical  
27 doctoral degree are exempt from this provision; and

28 (4) Pass an examination promulgated or approved by the  
29 board. The board shall determine the subject and scope of  
30 the examinations.

361.909. Sections 361.900 to 361.1035 shall not apply  
2 to:

3 (1) An operator of a payment system to the extent that  
4 it provides processing, clearing, or settlement services  
5 between or among persons exempted under this section or  
6 licensees in connection with wire transfers, credit card  
7 transactions, debit card transactions, stored value  
8 transactions, automated clearinghouse transfers, or similar  
9 funds transfers;

10 (2) A person appointed as an agent of a payee to  
11 collect and process a payment from a payer to the payee for  
12 goods or services, other than money transmission itself,  
13 provided to the payer by the payee, provided that:

14 (a) There exists a written agreement between the payee  
15 and the agent directing the agent to collect and process  
16 payments from a payer on the payee's behalf;

17 (b) The payee holds the agent out to the public as  
18 accepting payments for goods or services on the payee's  
19 behalf; and

20 (c) Payment for the goods and services is treated as  
21 received by the payee upon receipt by the agent so that the  
22 payer's obligation is extinguished and there is no risk of  
23 loss to the payer if the agent fails to remit the funds to  
24 the payee;

25 (3) A person that acts as an intermediary by  
26 processing payments between an entity that has directly  
27 incurred an outstanding money transmission obligation to a  
28 sender and the sender's designated recipient, provided that  
29 the entity:

30 (a) Is properly licensed or exempt from licensing  
31 requirements under sections 361.900 to 361.1035;

(b) Provides a receipt, electronic record, or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction; and

(c) Bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient;

(4) The United States or a department, agency, or instrumentality thereof, or its agent;

(5) Money transmission by the United States Postal Service or by an agent of the United States Postal Service;

(6) A state, county, city, or any other governmental agency or governmental subdivision or instrumentality of a state, or its agent;

(7) A federally insured depository financial institution; bank holding company; office of an international banking corporation; foreign bank that establishes a federal branch under the International Bank Act, 12 U.S.C. Section 3102, as amended or recodified from time to time; corporation organized under the Bank Service Corporation Act, 12 U.S.C. Sections 1861-1867, as amended or recodified from time to time; or corporation organized under the Edge Act, 12 U.S.C. Sections 611-633, as amended or recodified from time to time, under the laws of a state or the United States;

(8) Electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality thereof, or on behalf of a state or governmental subdivision, agency, or instrumentality thereof;

64           (9) A board of trade designated as a contract market  
65 under the federal Commodity Exchange Act, 7 U.S.C. Sections  
66 1-25, as amended or recodified from time to time, or a  
67 person that, in the ordinary course of business, provides  
68 clearance and settlement services for a board of trade to  
69 the extent of its operation as or for such a board;

70           (10) A registered futures commission merchant under  
71 the federal commodities laws to the extent of its operation  
72 as such a merchant;

73           (11) A person registered as a securities broker-dealer  
74 under federal or state securities laws to the extent of its  
75 operation as such a broker-dealer;

76           (12) An individual employed by a licensee, authorized  
77 delegate, or any person exempted from the licensing  
78 requirements under sections 361.900 to 361.1035 if acting  
79 within the scope of employment and under the supervision of  
80 the licensee, authorized delegate, or exempted person as an  
81 employee and not as an independent contractor;

82           (13) A person expressly appointed as a third-party  
83 service provider to or agent of an entity exempt under  
84 subdivision (7) of this section solely to the extent that:

85           (a) Such service provider or agent is engaging in  
86 money transmission on behalf of and under a written  
87 agreement with the exempt entity that sets forth the  
88 specific functions that the service provider or agent is to  
89 perform; and

90           (b) The exempt entity assumes all risk of loss and all  
91 legal responsibility for satisfying the outstanding money  
92 transmission obligations owed to purchasers and holders of  
93 the outstanding money transmission obligations upon receipt  
94 of the purchaser's or holder's money or monetary value by  
95 the service provider or agent;

96           (14) A person appointed as an agent of a payor for  
97 purposes of providing payroll processing services for which  
98 the agent would otherwise need to be licensed, provided all  
99 of the following apply:

100           (a) There is a written agreement between the payor and  
101 the agent that directs the agent to provide payroll  
102 processing services on the payor's behalf;

103           (b) The payor holds the agent out to employees and  
104 other payees as providing payroll processing services on the  
105 payor's behalf;

106           (c) The payor's obligation to a payee, including an  
107 employee or any other party entitled to receive funds via  
108 the payroll processing services provided by the agent, shall  
109 not be extinguished if the agent fails to remit the funds to  
110 the payee.

✓