

SENATE BILL NO. 1083

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

4018S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 334.870 and 334.880, RSMo, and to enact in lieu thereof two new sections relating to respiratory therapists.

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

Section A. Sections 334.870 and 334.880, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 334.870 and 334.880, to read as follows:

334.870. An applicant for a license to practice
2 respiratory care may be issued a license which is valid
3 until the expiration date as determined by the board after
4 the following requirements have been met:

5 (1) The applicant submits to the board:

6 (a) A completed application for licensure;

7 (b) Written evidence of:

8 a. **[Credentials from the certifying entity; or] An**
9 **active credential as a registered respiratory therapist**
10 **through the National Board for Respiratory Care, or a**
11 **successor credentialing organization;**

12 b. Current licensure or registration **with an active**
13 **credential** as a **registered** respiratory **[care practitioner]**
14 **therapist practicing** in another state, the District of
15 Columbia or territory of the United States which requires
16 standards for licensure or registration determined by the

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

17 board to be equivalent to, or exceed, the requirements for
18 licensure under sections 334.800 to 334.930; or

19 **c. An active credential as a certified respiratory**
20 **therapist earned prior to January 1, 2027, through the**
21 **National Board for Respiratory Care;**

22 (c) Payment of any required fees;

23 (2) The board requests and receives a complete
24 background check and other information as may be deemed
25 necessary to fulfill sections 334.800 to 334.910;

26 (3) An applicant who has completed the requirements of
27 subdivision (1) of this section and has submitted the
28 necessary information for the background check pursuant to
29 subdivision (2) of this section may obtain a conditional
30 license to practice as a respiratory care practitioner
31 pending the outcome of the background check subject to the
32 following restrictions:

33 (a) The conditional license shall only be issued if
34 the applicant has made a prima facie showing that he or she
35 meets all of the requirements for full licensure;

36 (b) The conditional license shall only be effective
37 until the board has had an opportunity to investigate the
38 applicant's qualifications for licensure pursuant to
39 subdivisions (1) and (2) of this section and to notify the
40 applicant that his or her application for licensure has been
41 granted or denied;

42 (c) If the applicant provides false or misleading
43 information to the board, the board may automatically
44 terminate the conditional license. If the board
45 automatically terminates a conditional license, the board
46 shall notify the holder of the board's decision by certified
47 mail or personal service;

48 (d) In no event shall such conditional license be in
49 effect for more than twelve months after the date of its
50 issuance;

51 (e) A conditional license shall not be eligible for
52 renewal; and

53 (f) No fee shall be charged for issuing a conditional
54 license.

334.880. 1. A license issued pursuant to sections
2 334.800 to 334.930 shall be renewed biennially, except as
3 provided in sections 334.800 to 334.930. The board shall
4 mail a notice to each person licensed during the preceding
5 licensing period at least thirty calendar days prior to the
6 expiration date of the license. The board shall not renew
7 any license unless the licensee shall provide satisfactory
8 evidence of having complied with the board's minimum
9 requirements for continuing education.

10 2. Failure of a licensee to renew his or her license
11 prior to the expiration of the license shall result in the
12 lapse of the license. A lapsed license may be reinstated by
13 the board as provided by rule.

14 3. **Any license renewal is subject to a random audit to**
15 **ensure the licensee has an active credential through the**
16 **National Board for Respiratory Care, or a successor**
17 **credentialing organization. If audited, proof of active**
18 **credential shall be submitted directly to the board by the**
19 **National Board for Respiratory Care, or the successor**
20 **credentialing organization.**

21 4. Each licensee may, in lieu of submitting proof of
22 the completion of the required continuing education course,
23 apply for an inactive license at the time of renewal and pay
24 the required inactive fee. An inactive license shall be

25 renewed biennially. An inactive license may be reactivated
26 by the board as provided by rule.

27 [4.] 5. Any person who practices as a respiratory care
28 practitioner during the time his or her license is inactive
29 or lapsed shall be considered an illegal practitioner and
30 shall be subject to the penalties for violation of the
31 respiratory care practice act.

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