

SENATE BILL NO. 1691

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURGER.

7291S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to licensure reciprocity.

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

Section A. Section 324.009, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 324.009,
3 to read as follows:

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
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) "Missouri law enforcement officer", any person
15 employed by or otherwise serving in a position for the state
16 or a local governmental entity in the state of Missouri as a
17 police officer, peace officer certified under chapter 590,
18 auxiliary police officer, sheriff, sheriff's deputy, member
19 of the patrol as that term is defined in section 43.010, or

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

20 in some like position involving the enforcement of the law
21 and protection of the public interest at the risk of that
22 person's life and who is a permanent resident of the state
23 of Missouri or who is domiciled in the state of Missouri;

24 (4) "Nonresident military or law enforcement spouse":

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

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

38 (5) "Oversight body", any board, department, agency,
39 or office of a jurisdiction that issues licenses;

40 (6) "Resident military or law enforcement spouse", a
41 spouse of an active duty member of the Armed Forces of the
42 United States who has been transferred or is scheduled to be
43 transferred to the state of Missouri or an adjacent state
44 and who is a permanent resident of the state of Missouri,
45 who is domiciled in the state of Missouri, or who has
46 Missouri as his or her home of record, or a spouse of a
47 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] jurisdiction**
66 verifies that the person met those requirements in order to
67 be licensed or certified in that **[state] jurisdiction**. An
68 oversight body that administers an examination on laws of
69 this state as part of its licensing application requirement
70 may require an applicant to take and pass an examination
71 specific to the laws of this 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. **Any health care provider licensed under the**
109 **provisions of this section shall be deemed fully licensed to**
110 **practice within the profession's scope of practice in this**
111 **state and may provide telehealth services as described in**
112 **section 191.1145 to the same extent and in the same manner**
113 **as a health care provider who received his or her license**
114 **without a waiver of any requirements.**

115 7. This section shall not be construed to waive any
116 requirement for an applicant to pay any fees, post any bonds
117 or surety bonds, or submit proof of insurance associated
118 with the license the applicant seeks.

119 8. This section shall not apply to business,
120 professional, or occupational licenses issued or required by
121 political subdivisions.

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

125 10. The provisions of this section shall not be
126 construed to alter the authority granted by, or any
127 requirements promulgated pursuant to, any
128 interjurisdictional or interstate compacts adopted by
129 Missouri statute or any reciprocity agreements with other
130 states in effect, and whenever possible this section shall
131 be interpreted so as to imply no conflict between it and any
132 compact, or any reciprocity agreements with other states in
133 effect.

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

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

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