

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR

SENATE BILL NO. 1233

103RD GENERAL ASSEMBLY
2026

5607H.07T

AN ACT

To repeal sections 324.001, 324.009, 324.028, 324.400, 324.402, 324.403, 324.406, 324.409, 324.412, 324.415, 324.418, 324.421, 324.424, 324.427, 324.430, 324.433, 324.436, 324.439, 326.256, 326.277, 326.280, 326.283, 326.286, 326.289, 326.292, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 332.081, 334.870, 334.880, 335.081, 337.600, 338.010, 338.333, 338.710, 345.050, 537.033, and 621.045, RSMo, and to enact in lieu thereof forty-five new sections relating to activities requiring licensure, with penalty provisions and a contingent effective date for certain sections.

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

Section A. Sections 324.001, 324.009, 324.028, 324.400,
2 324.402, 324.403, 324.406, 324.409, 324.412, 324.415, 324.418,
3 324.421, 324.424, 324.427, 324.430, 324.433, 324.436, 324.439,
4 326.256, 326.277, 326.280, 326.283, 326.286, 326.289, 326.292,
5 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442,
6 327.451, 332.081, 334.870, 334.880, 335.081, 337.600, 338.010,
7 338.333, 338.710, 345.050, 537.033, and 621.045, RSMo, are
8 repealed and forty-five new sections enacted in lieu thereof,
9 to be known as sections 324.001, 324.004, 324.009, 324.028,
10 324.218, 324.263, 326.256, 326.277, 326.280, 326.283, 326.286,
11 326.289, 326.292, 327.011, 327.031, 327.041, 327.081, 327.381,
12 327.411, 327.442, 327.451, 327.700, 327.705, 327.710, 327.720,

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

13 327.725, 327.730, 327.735, 327.740, 327.745, 327.750, 331.084,
14 332.081, 334.870, 334.880, 335.081, 337.600, 338.010, 338.312,
15 338.333, 338.710, 345.050, 537.033, 621.045, and 1, to read as
16 follows:

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

3 (1) "Department", the department of commerce and
4 insurance;

5 (2) "Director", the director of the division of
6 professional registration; and

7 (3) "Division", the division of professional
8 registration.

9 2. There is hereby established a "Division of
10 Professional Registration" assigned to the department of
11 commerce and insurance as a type III transfer, headed by a
12 director appointed by the governor with the advice and
13 consent of the senate. All of the general provisions,
14 definitions and powers enumerated in section 1 of the
15 Omnibus State Reorganization Act of 1974 and Executive Order
16 06-04 shall apply to this department and its divisions,
17 agencies, and personnel.

18 3. The director of the division of professional
19 registration shall promulgate rules and regulations which
20 designate for each board or commission assigned to the
21 division the renewal date for licenses or certificates.
22 After the initial establishment of renewal dates, no
23 director of the division shall promulgate a rule or
24 regulation which would change the renewal date for licenses
25 or certificates if such change in renewal date would occur
26 prior to the date on which the renewal date in effect at the
27 time such new renewal date is specified next occurs. Each
28 board or commission shall by rule or regulation establish

29 licensing periods of one, two, or three years. Registration
30 fees set by a board or commission shall be effective for the
31 entire licensing period involved, and shall not be increased
32 during any current licensing period. Persons who are
33 required to pay their first registration fees shall be
34 allowed to pay the pro rata share of such fees for the
35 remainder of the period remaining at the time the fees are
36 paid. Each board or commission shall provide the necessary
37 forms for initial registration, and thereafter the director
38 may prescribe standard forms for renewal of licenses and
39 certificates. Each board or commission shall by rule and
40 regulation require each applicant to provide the information
41 which is required to keep the board's records current. Each
42 board or commission shall have the authority to collect and
43 analyze information required to support workforce planning
44 and policy development. Such information shall not be
45 publicly disclosed so as to identify a specific health care
46 provider, as defined in section 376.1350. Each board or
47 commission shall issue the original license or certificate.

48 4. The division shall provide clerical and other staff
49 services relating to the issuance and renewal of licenses
50 for all the professional licensing and regulating boards and
51 commissions assigned to the division. The division shall
52 perform the financial management and clerical functions as
53 they each relate to issuance and renewal of licenses and
54 certificates. "Issuance and renewal of licenses and
55 certificates" means the ministerial function of preparing
56 and delivering licenses or certificates, and obtaining
57 material and information for the board or commission in
58 connection with the renewal thereof to include verifying if
59 the applicant has submitted all required documentation and
60 that the documentation is legible. It does not include any

61 discretionary authority with regard to the original review
62 of an applicant's qualifications for licensure or
63 certification, or the subsequent review of licensee's or
64 certificate holder's qualifications, or any disciplinary
65 action contemplated against the licensee or certificate
66 holder. The division may develop and implement microfilming
67 systems and automated or manual management information
68 systems.

69 5. The director of the division shall maintain a
70 system of accounting and budgeting, in cooperation with the
71 director of the department, the office of administration,
72 and the state auditor's office, to ensure proper charges are
73 made to the various boards for services rendered to them.
74 The general assembly shall appropriate to the division and
75 other state agencies from each board's funds moneys
76 sufficient to reimburse the division and other state
77 agencies for all services rendered and all facilities and
78 supplies furnished to that board.

79 6. For accounting purposes, the appropriation to the
80 division and to the office of administration for the payment
81 of rent for quarters provided for the division shall be made
82 from the "Professional Registration Fees Fund", which is
83 hereby created, and is to be used solely for the purpose
84 defined in subsection 5 of this section. The fund shall
85 consist of moneys deposited into it from each board's fund.
86 Each board shall contribute a prorated amount necessary to
87 fund the division for services rendered and rent based upon
88 the system of accounting and budgeting established by the
89 director of the division as provided in subsection 5 of this
90 section. Transfers of funds to the professional
91 registration fees fund shall be made by each board on July
92 first of each year; provided, however, that the director of

93 the division may establish an alternative date or dates of
94 transfers at the request of any board. Such transfers shall
95 be made until they equal the prorated amount for services
96 rendered and rent by the division. The provisions of
97 section 33.080 to the contrary notwithstanding, money in
98 this fund shall not be transferred and placed to the credit
99 of general revenue.

100 7. The director of the division shall be responsible
101 for collecting and accounting for all moneys received by the
102 division or its component agencies. Any money received by a
103 board or commission shall be promptly given, identified by
104 type and source, to the director. The director shall keep a
105 record by board and state accounting system classification
106 of the amount of revenue the director receives. The
107 director shall promptly transmit all receipts to the
108 department of revenue for deposit in the state treasury to
109 the credit of the appropriate fund. The director shall
110 provide each board with all relevant financial information
111 in a timely fashion. Each board shall cooperate with the
112 director by providing necessary information.

113 8. All educational transcripts, test scores,
114 complaints, investigatory reports, and information
115 pertaining to any person who is an applicant or licensee of
116 any agency assigned to the division of professional
117 registration by statute or by the department are
118 confidential and may not be disclosed to the public or any
119 member of the public, except with the written consent of the
120 person whose records are involved. The agency which
121 possesses the records or information shall disclose the
122 records or information if the person whose records or
123 information is involved has consented to the disclosure.
124 Each agency is entitled to the attorney-client privilege and

125 work-product privilege to the same extent as any other
126 person. Provided, however, that any board may disclose
127 confidential information without the consent of the person
128 involved in the course of voluntary interstate exchange of
129 information, or in the course of any litigation concerning
130 that person, or pursuant to a lawful request, or to other
131 administrative or law enforcement agencies acting within the
132 scope of their statutory authority. Information regarding
133 identity, including names and addresses, registration, and
134 currency of the license of the persons possessing licenses
135 to engage in a professional occupation and the names and
136 addresses of applicants for such licenses is not
137 confidential information.

138 9. Any deliberations conducted and votes taken in
139 rendering a final decision after a hearing before an agency
140 assigned to the division shall be closed to the parties and
141 the public. Once a final decision is rendered, that
142 decision shall be made available to the parties and the
143 public.

144 10. A compelling governmental interest shall be deemed
145 to exist for the purposes of section 536.025 for licensure
146 fees to be reduced by emergency rule, if the projected fund
147 balance of any agency assigned to the division of
148 professional registration is reasonably expected to exceed
149 an amount that would require transfer from that fund to
150 general revenue.

151 11. (1) The following boards and commissions are
152 assigned by specific type transfers to the division of
153 professional registration: Missouri state board of
154 accountancy, chapter 326; board of cosmetology and barber
155 examiners, chapters 328 and 329; Missouri board for
156 architects, professional engineers, professional land

157 surveyors [and], **professional** landscape architects, and
158 **licensed interior designers**, chapter 327; Missouri state
159 board of chiropractic examiners, chapter 331; state board of
160 registration for the healing arts, chapter 334; Missouri
161 dental board, chapter 332; state board of embalmers and
162 funeral directors, chapter 333; state board of optometry,
163 chapter 336; Missouri state board of nursing, chapter 335;
164 board of pharmacy, chapter 338; state board of podiatric
165 medicine, chapter 330; Missouri real estate appraisers
166 commission, chapter 339; and Missouri veterinary medical
167 board, chapter 340. The governor shall appoint members of
168 these boards by and with the advice and consent of the
169 senate.

170 (2) The boards and commissions assigned to the
171 division shall exercise all their respective statutory
172 duties and powers, except those clerical and other staff
173 services involving collecting and accounting for moneys and
174 financial management relating to the issuance and renewal of
175 licenses, which services shall be provided by the division,
176 within the appropriation therefor. Nothing herein shall
177 prohibit employment of professional examining or testing
178 services from professional associations or others as
179 required by the boards or commissions on contract. Nothing
180 herein shall be construed to affect the power of a board or
181 commission to expend its funds as appropriated. However,
182 the division shall review the expense vouchers of each
183 board. The results of such review shall be submitted to the
184 board reviewed and to the house and senate appropriations
185 committees annually.

186 (3) Notwithstanding any other provisions of law, the
187 director of the division shall exercise only those
188 management functions of the boards and commissions

189 specifically provided in the Reorganization Act of 1974, and
190 those relating to the allocation and assignment of space,
191 personnel other than board personnel, and equipment.

192 (4) "Board personnel", as used in this section or
193 chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334,
194 335, 336, 337, 338, 339, 340, and 345, shall mean personnel
195 whose functions and responsibilities are in areas not
196 related to the clerical duties involving the issuance and
197 renewal of licenses, to the collecting and accounting for
198 moneys, or to financial management relating to issuance and
199 renewal of licenses; specifically included are executive
200 secretaries (or comparable positions), consultants,
201 inspectors, investigators, counsel, and secretarial support
202 staff for these positions; and such other positions as are
203 established and authorized by statute for a particular board
204 or commission. Boards and commissions may employ legal
205 counsel, if authorized by law, and temporary personnel if
206 the board is unable to meet its responsibilities with the
207 employees authorized above. Any board or commission which
208 hires temporary employees shall annually provide the
209 division director and the appropriation committees of the
210 general assembly with a complete list of all persons
211 employed in the previous year, the length of their
212 employment, the amount of their remuneration, and a
213 description of their responsibilities.

214 (5) Board personnel for each board or commission shall
215 be employed by and serve at the pleasure of the board or
216 commission, shall be supervised as the board or commission
217 designates, and shall have their duties and compensation
218 prescribed by the board or commission, within appropriations
219 for that purpose, except that compensation for board
220 personnel shall not exceed that established for comparable

221 positions as determined by the board or commission pursuant
222 to the job and pay plan of the department of commerce and
223 insurance. Nothing herein shall be construed to permit
224 salaries for any board personnel to be lowered except by
225 board action.

226 12. All the powers, duties, and functions of the
227 division of athletics, chapter 317, and others, are assigned
228 by type I transfer to the division of professional
229 registration.

230 13. Wherever the laws, rules, or regulations of this
231 state make reference to the division of professional
232 registration of the department of economic development, such
233 references shall be deemed to refer to the division of
234 professional registration.

235 14. (1) The state board of nursing, board of
236 pharmacy, Missouri dental board, state committee of
237 psychologists, state board of chiropractic examiners, state
238 board of optometry, Missouri board of occupational therapy,
239 or state board of registration for the healing arts may
240 individually or collectively enter into a contractual
241 agreement with the department of health and senior services,
242 a public institution of higher education, or a nonprofit
243 entity for the purpose of collecting and analyzing workforce
244 data from its licensees, registrants, or permit holders for
245 future workforce planning and to assess the accessibility
246 and availability of qualified health care services and
247 practitioners in Missouri. The boards shall work
248 collaboratively with other state governmental entities to
249 ensure coordination and avoid duplication of efforts.

250 (2) The boards may expend appropriated funds necessary
251 for operational expenses of the program formed under this
252 subsection. Each board is authorized to accept grants to

253 fund the collection or analysis authorized in this
254 subsection. Any such funds shall be deposited in the
255 respective board's fund.

256 (3) Data collection shall be controlled and approved
257 by the applicable state board conducting or requesting the
258 collection. Notwithstanding the provisions of sections
259 324.010 and 334.001, the boards may release identifying data
260 to the contractor to facilitate data analysis of the health
261 care workforce including, but not limited to, geographic,
262 demographic, and practice or professional characteristics of
263 licensees. The state board shall not request or be
264 authorized to collect income or other financial earnings
265 data.

266 (4) Data collected under this subsection shall be
267 deemed the property of the state board requesting the data.
268 Data shall be maintained by the state board in accordance
269 with chapter 610, provided that any information deemed
270 closed or confidential under subsection 8 of this section or
271 any other provision of state law shall not be disclosed
272 without consent of the applicable licensee or entity or as
273 otherwise authorized by law. Data shall only be released in
274 an aggregate form by geography, profession or professional
275 specialization, or population characteristic in a manner
276 that cannot be used to identify a specific individual or
277 entity. Data suppression standards shall be addressed and
278 established in the contractual agreement.

279 (5) Contractors shall maintain the security and
280 confidentiality of data received or collected under this
281 subsection and shall not use, disclose, or release any data
282 without approval of the applicable state board. The
283 contractual agreement between the applicable state board and
284 contractor shall establish a data release and research

285 review policy to include legal and institutional review
286 board, or agency-equivalent, approval.

287 (6) Each board may promulgate rules subject to the
288 provisions of this subsection and chapter 536 to effectuate
289 and implement the workforce data collection and analysis
290 authorized by this subsection. Any rule or portion of a
291 rule, as that term is defined in section 536.010, that is
292 created under the authority delegated in this section shall
293 become effective only if it complies with and is subject to
294 all of the provisions of chapter 536 and, if applicable,
295 section 536.028. This section and chapter 536 are
296 nonseverable and if any of the powers vested with the
297 general assembly under chapter 536 to review, to delay the
298 effective date, or to disapprove and annul a rule are
299 subsequently held unconstitutional, then the grant of
300 rulemaking authority and any rule proposed or adopted after
301 August 28, 2016, shall be invalid and void.

**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
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. (1) Except as provided in subdivision (2) of this
34 subsection, applicants for the one-time temporary
35 nonrenewable license under this section shall be citizens of
36 the United States or lawfully present noncitizens authorized
37 to work in the United States under federal law and shall
38 submit legal proof of citizenship or employment
39 authorization that is acceptable for the employment
40 eligibility verification under federal law as part of the
41 application. If the holder of a one-time nonrenewable
42 temporary license issued under this section loses lawful
43 presence or federal work authorization, the one-time
44 nonrenewable temporary license shall automatically be
45 revoked.

46 (2) Applicants for the one-time nonrenewable temporary
47 license under this section in an occupation regulated by the

48 board of therapeutic massage shall be citizens of the United
49 States and shall submit legal proof of citizenship as part
50 of the application.

51 5. If an applicant is not currently residing in this
52 state, the oversight body shall conditionally approve the
53 application contingent upon receipt of proof of domicile in
54 this state within sixty days of the applicant receiving the
55 temporary license. If the applicant fails to provide proof
56 within sixty days of receiving the temporary license, the
57 oversight body may terminate the temporary license and the
58 applicant may reapply for a temporary license.

59 6. The provisions of this section shall not apply to
60 the following:

61 (1) Any occupation whose oversight body has entered
62 into a licensing compact with another state for the
63 regulation of practice under the oversight body's
64 jurisdiction. The provisions of this section shall not be
65 construed to alter the authority granted by, or any
66 requirements promulgated pursuant to, any
67 interjurisdictional or interstate compacts adopted by this
68 state or any reciprocity agreements with other states, and
69 whenever possible the provisions of this section shall be
70 interpreted so as to imply no conflict between it and any
71 compact or any reciprocity agreement with other states;

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

75 (3) Any occupation whose regulators or licensees are
76 required to comply with specific federal statutory,
77 regulatory, and administrative requirements in order to
78 practice in this state; or

79 (4) Assistant physicians licensed under chapter 334.

80 7. The one-time nonrenewable temporary license shall
81 expire after two years. Upon expiration, the individual
82 shall be required to apply for a permanent license in
83 accordance with the license requirements for the occupation
84 for which he or she held the temporary license.

85 8. Notwithstanding any other provision of law to the
86 contrary, a license issued under this section shall be valid
87 only in this state and shall not make a licensee eligible to
88 be part of an interstate compact. An applicant who is
89 licensed in another state pursuant to an interstate compact
90 shall not be eligible for licensure by an oversight body
91 under the provisions of this section.

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

96 10. As used in this section, the term "oversight body"
97 means any board, department, agency, or office of a
98 jurisdiction that issues occupational or professional
99 licenses.

100 11. The division of professional registration may
101 promulgate rules to implement the provisions of this
102 section. Any rule or portion of a rule, as that term is
103 defined in section 536.010, that is created under the
104 authority delegated in this section shall become effective
105 only if it complies with and is subject to all of the
106 provisions of chapter 536 and, if applicable, section
107 536.028. This section and chapter 536 are nonseverable and
108 if any of the powers vested with the general assembly
109 pursuant to chapter 536 to review, to delay the effective
110 date, or to disapprove and annul a rule are subsequently
111 held unconstitutional, then the grant of rulemaking

112 **authority and any rule proposed or adopted after August 28,**
113 **2026, 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 **specialty** that enables a person to legally practice an
6 occupation or 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
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.

 324.028. Any member authorized under the provisions of
2 sections 256.459, 324.063, 324.177, 324.203, 324.243,
3 [324.406,] 324.478, 326.259, 327.031, 329.015, 330.110,
4 331.090, 332.021, 333.151, 334.120, 334.430, 334.625,
5 334.717, 334.749, 334.830, 335.021, 336.130, 337.050,
6 337.305, 337.535, 337.622, 337.739, 338.110, 339.120,
7 340.202, 345.080, and 346.120 who misses three consecutive
8 regularly scheduled meetings of the board or council on
9 which he **or she** serves shall forfeit his **or her** membership
10 on that board or council. A new member shall be appointed
11 to the respective board or council by the governor with the
12 advice and consent of the senate.

324.218. 1. An applicant who has not previously taken
2 or passed an examination recognized by the committee and who
3 meets the qualifications of subsection 2 of section 324.210
4 may obtain without examination a nonrenewable temporary
5 license by paying a temporary-license fee and submitting to
6 the committee an agreement-to-supervise form that is signed
7 by a licensed dietitian who has agreed to supervise the
8 applicant. Such temporary licensee may practice dietetics,
9 but any such practice shall be under the supervision of a
10 dietitian licensed in this state.

11 2. (1) Any dietitian who has agreed to supervise a
12 temporary licensee shall hold an unencumbered license to
13 practice dietetics in this state and shall provide the
14 committee proof of active dietetics practice in this state
15 for a minimum of one year before supervising the temporary
16 licensee.

17 (2) The supervising dietitian shall not be an
18 immediate family member of the temporary licensee. The
19 committee shall define the term "immediate family member"
20 for purposes of this subdivision and the scope of such
21 supervision by rule.

22 3. (1) The dietitian who has agreed to supervise the
23 applicant for a temporary license shall submit to the
24 committee a signed and notarized form prescribed by the
25 committee attesting that the applicant for a temporary
26 license shall begin employment at a location in this state
27 within seven days of issuance of the temporary license.

28 (2) If the temporary licensee's employment described
29 in subdivision (1) of this subsection ceases, the
30 supervising dietitian shall notify the committee within
31 three days of such cessation.

32 4. A licensed dietitian shall not supervise more than
33 one temporary licensee at a time.

34 5. The temporary license obtained by an applicant
35 under this section shall expire the date the committee is
36 notified by the supervising dietitian that the temporary
37 licensee's employment has ceased or within one hundred
38 eighty days of its issuance, whichever occurs first.

 324.263. 1. The board may apply to the administrative
2 hearing commission for an emergency suspension or
3 restriction of a license issued under sections 324.240 to
4 324.275 if:

5 (1) The holder of the license is the subject of a
6 pending criminal indictment, criminal information, or other
7 criminal charge related to the duties and responsibilities
8 of the licensed occupation; and

9 (2) There is reasonable cause for the board to believe
10 that the public health, safety, or welfare is at imminent
11 risk of harm from the holder of the license.

12 2. The board shall submit to the administrative
13 hearing commission supporting affidavits and certified court
14 records, together with a complaint alleging the facts in
15 support of the board's request for an emergency suspension
16 or restriction of a license, and shall supply the
17 administrative hearing commission with the last home or
18 business addresses on file with the board for the licensee.
19 Within one business day of the filing of the complaint, the
20 administrative hearing commission shall return a service
21 packet to the board. The service packet shall include the
22 board's complaint and any affidavits or records the board
23 intends to rely on that have been filed with the
24 administrative hearing commission. The service packet may
25 contain other information in the discretion of the

26 administrative hearing commission. Within twenty-four hours
27 of receiving the packet, the board shall either personally
28 serve the licensee the service packet or leave a copy of the
29 service packet at all of the licensee's current addresses on
30 file with the board.

31 3. Within five days of the board's filing of the
32 complaint, the administrative hearing commission shall
33 review the information submitted by the board and shall
34 issue its findings of fact and conclusions of law. If the
35 administrative hearing commission finds that there is
36 reasonable cause for the board to believe that the public
37 health, safety, or welfare is at imminent risk of harm from
38 the holder of the license, the administrative hearing
39 commission shall enter the order requested by the board.
40 The order shall be effective upon personal service or by
41 leaving a copy at all of the licensee's current addresses on
42 file with the board.

43 4. (1) The administrative hearing commission shall
44 hold an evidentiary hearing on the record within forty-five
45 days of the board's filing of the complaint, or upon final
46 adjudication of any criminal charges filed against the
47 licensee, as appropriate, to determine if cause for
48 discipline exists under the provisions of sections 324.240
49 to 324.275 and to determine whether the initial order
50 entered by the commission shall continue in effect. Prior
51 to the hearing, the licensee may file affidavits and
52 certified court records for consideration by the
53 administrative hearing commission. The administrative
54 hearing commission may grant a request for a continuance but
55 shall in any event hold the hearing within one hundred
56 twenty days of the board's initial filing. The board shall
57 be granted leave to amend its complaint if it is more than

58 thirty days prior to the hearing, or within thirty days
59 prior to the hearing upon a showing of good cause.

60 (2) If no cause for discipline is found following an
61 evidentiary hearing, the administrative hearing commission
62 shall issue findings of fact, conclusions of law, and an
63 order terminating the commission's initial order imposing an
64 emergency suspension or restriction of the license.

65 (3) If the administrative hearing commission finds
66 cause for discipline following an evidentiary hearing, the
67 commission shall issue findings of fact and conclusions of
68 law and order the emergency suspension or restriction to
69 remain in full force and effect pending a disciplinary
70 hearing before the board. The board shall hold a hearing
71 following the certification of the record by the
72 administrative hearing commission and may impose discipline
73 otherwise authorized by state law.

74 5. Any action under this section shall be in addition
75 to and not in lieu of any discipline otherwise in the
76 board's power to impose and may be brought concurrently with
77 other actions.

78 6. If the administrative hearing commission does not
79 grant an initial order imposing an emergency suspension or
80 restriction of the license as described in subsection 3 of
81 this section, the board shall remove all reference to such
82 emergency suspension or restriction from its public records.

326.256. 1. As used in this chapter, the following
2 terms mean:

3 (1) "AICPA", the American Institute of Certified
4 Public Accountants;

5 (2) "Attest" or "attest services", providing the
6 following services:

7 (a) Any audit or other engagement to be performed in
8 accordance with the Statements on Auditing Standards (SAS);

9 (b) Any examination of prospective financial
10 information to be performed in accordance with the
11 Statements on Standards for Attestation Engagements (SSAE);

12 (c) Any engagement to be performed in accordance with
13 the auditing standards and rules of the Public Company
14 Accounting Oversight Board (PCAOB);

15 (d) Any review of a financial statement to be
16 performed in accordance with the Statements on Standards for
17 Accounting and Review Services (SSARS); or

18 (e) Any examination, review, or agreed upon procedures
19 engagement to be performed in accordance with the SSAE,
20 other than an examination described in paragraph (b) of this
21 subdivision;

22 (3) "Board", the Missouri state board of accountancy
23 established under section 326.259 or its predecessor
24 pursuant to prior law;

25 (4) "Certificate", a certificate issued under section
26 326.060 prior to August 28, 2001;

27 (5) "Certified public accountant" or "CPA", the holder
28 of a certificate or license as defined in this section;

29 (6) "Certified public accounting firm", "CPA firm" or
30 "firm", a sole proprietorship, a corporation, a partnership
31 or any other form of organization issued a permit **or**
32 **otherwise authorized to practice** under section 326.289;

33 (7) "Client", a person or entity that agrees with a
34 licensee or licensee's employer to receive any professional
35 service;

36 (8) "Compilation", providing a service to be performed
37 in accordance with Statements on Standards for Accounting
38 and Review Services (SSARS) that is presented in the form of

39 financial statements information that is the representation
40 of management (owners) without undertaking to express any
41 assurance on the statements;

42 (9) "License", a license issued under section 326.280,
43 or privilege to practice under section 326.283; or, in each
44 case, an individual license or permit issued pursuant to
45 corresponding provisions of prior law;

46 (10) "Licensee", the holder of a license as defined in
47 this section;

48 (11) "Manager", a manager of a limited liability
49 company;

50 (12) "Member", a member of a limited liability company;

51 (13) "NASBA", the National Association of State Boards
52 of Accountancy;

53 (14) "PCAOB", the Public Company Accounting Oversight
54 Board;

55 (15) "Peer review", a study, appraisal or review of
56 one or more aspects of the professional work of a [licensee
57 or] certified public accounting firm that performs attest or
58 compilation services, by licensees who are not affiliated
59 either personally or through their certified public
60 accounting firm being reviewed pursuant to the Standards for
61 Performing and Reporting on Peer Reviews promulgated by the
62 AICPA or such other standard adopted by regulation of the
63 board which meets or exceeds the AICPA standards;

64 (16) "Permit", a permit to practice as a certified
65 public accounting firm issued under section 326.289 or
66 corresponding provisions of prior law or pursuant to
67 corresponding provisions of the laws of other states;

68 (17) "Principal place of business", the office
69 location designated by the licensee for purposes of
70 [substantial equivalency] **mobility** and reciprocity;

71 (18) "Professional", arising out of or related to the
72 specialized knowledge or skills associated with certified
73 public accountants;

74 (19) "Public accounting":

75 (a) Performing or offering to perform for an
76 enterprise, client or potential client one or more services
77 involving the use of accounting or auditing skills, or one
78 or more management advisory or consulting services, or the
79 preparation of tax returns or the furnishing of advice on
80 tax matters by a person, firm, limited liability company or
81 professional corporation using the title "C.P.A." or "P.A."
82 in signs, advertising, directory listing, business cards,
83 letterheads or other public representations;

84 (b) Signing or affixing a name, with any wording
85 indicating the person or entity has expert knowledge in
86 accounting or auditing to any opinion or certificate
87 attesting to the reliability of any representation or
88 estimate in regard to any person or organization embracing
89 financial information or facts respecting compliance with
90 conditions established by law or contract, including but not
91 limited to statutes, ordinances, rules, grants, loans and
92 appropriations; or

93 (c) Offering to the public or to prospective clients
94 to perform, or actually performing on behalf of clients,
95 professional services that involve or require an audit or
96 examination of financial records leading to the expression
97 of a written attestation or opinion concerning these records;

98 (20) "Report", when used with reference to any attest
99 or compilation service, means an opinion, report or other
100 form of language that states or implies assurance as to the
101 reliability of the attested information or compiled
102 financial statements, and that also includes or is

103 accompanied by any statement or implication that the person
104 or firm issuing it has special knowledge or competence in
105 accounting or auditing. Such a statement or implication of
106 special knowledge or competence may arise from use by the
107 issuer of the report of names or titles indicating that the
108 person or firm is an accountant or auditor, or from the
109 language of the report itself. The term report includes any
110 form of language which disclaims an opinion when such form
111 of language is conventionally understood to imply any
112 positive assurance as to the reliability of the attested
113 information or compiled financial statements referred to or
114 special competence on the part of the person or firm issuing
115 such language, and includes any other form of language that
116 is conventionally understood to imply such assurance or such
117 special knowledge or competence;

118 (21) "State", any state of the United States, the
119 District of Columbia, Puerto Rico, the U.S. Virgin Islands,
120 the Commonwealth of the Northern Mariana Islands, and Guam;
121 except that "this state" means the state of Missouri;

122 (22) ["Substantial equivalency" or "substantially
123 equivalent", a determination by the board of accountancy or
124 its designee that the education, examination and experience
125 requirements contained in the statutes and administrative
126 rules of another jurisdiction are comparable to or exceed
127 the education, examination and experience requirements
128 contained in this chapter or that an individual certified
129 public accountant's education, examination and experience
130 qualifications are comparable to or exceed the education,
131 examination and experience requirements contained in this
132 chapter;

133 (23)] "Transmittal", any transmission of information
134 in any form, including but not limited to any and all

135 documents, records, minutes, computer files, disks or
136 information.

137 2. The statements on standards specified in this
138 section shall be adopted by reference by the board pursuant
139 to rulemaking and shall be those developed for general
140 application by the AICPA or other recognized national
141 accountancy organization as prescribed by board rule.

 326.277. 1. Prior to June 30, 2021, for an applicant
2 to be eligible to apply for the examination, the applicant
3 shall fulfill the education requirements of subdivision (4)
4 of subsection 1 of section 326.280.

 2. On or after June 30, 2021, for an applicant to be
6 eligible to apply for the examination, the applicant shall:

- 7 (1) Provide proof that the applicant has [completed at
8 least one hundred twenty semester hours of college
9 education] **obtained a baccalaureate degree or a post-**
10 **baccalaureate degree** at an accredited college or university
11 recognized by the board, with an accounting concentration or
12 equivalent as determined by the board, **in either case** by
13 rule;
- 14 (2) Be at least eighteen years of age; and
15 (3) Be of good moral character.

 326.280. 1. A license shall be granted by the board
2 to any person who meets the requirements of this chapter and
3 who:

- 4 (1) Is a resident of this state or has a place of
5 business in this state or, as an employee, is regularly
6 employed in this state;
- 7 (2) Has attained the age of eighteen years;
- 8 (3) Is of good moral character;
- 9 (4) [Either] **Meets one of the following educational**
10 **requirements:**

11 (a) [Applied for the initial examination prior to June
12 30, 1999, and] Holds a baccalaureate degree conferred by an
13 accredited college or university recognized by the board,
14 with [a] **the total educational program including an**
15 **accounting** concentration [in accounting] or [the
16 **substantial**] equivalent [of a concentration in accounting]
17 as determined by [the] board **rule to be appropriate; or**

18 (b) [Applied for the initial examination on or after
19 June 30, 1999, and has at least one hundred fifty semester
20 hours of college education, including a baccalaureate or
21 higher degree] **Has a baccalaureate degree plus an additional**
22 **thirty semester hours of college education** conferred by an
23 accredited college or university recognized by the board,
24 with the total educational program including an accounting
25 concentration or equivalent as determined by board rule to
26 be appropriate; **or**

27 (c) **Has a post-baccalaureate degree conferred by an**
28 **accredited college or university recognized by the board,**
29 **with the total education program including an accounting**
30 **concentration or equivalent as determined by board rule to**
31 **be appropriate;**

32 (5) Has passed an examination in accounting, auditing
33 and such other related subjects as the board shall determine
34 is appropriate; and

35 (6) (a) **Either:**

36 a. Has had one year of experience **for an applicant who**
37 **is applying for licensure on the basis of the educational**
38 **requirement in paragraphs (b) or (c) of subdivision (4) of**
39 **subsection 1 of this section; or**

40 b. Has had two years of experience **for an applicant**
41 **who is applying for licensure on the basis of the**

42 **educational requirement in paragraph (a) of subdivision (4)**
43 **of subsection 1 of this section.**

44 (b) Experience shall be verified by a licensee and
45 shall include any type of service or advice involving the
46 use of accounting, attest, compilation, management advisory,
47 financial advisory, tax or consulting skills including
48 governmental accounting, budgeting or auditing. The board
49 shall promulgate rules and regulations concerning the
50 verifying licensee's review of the applicant's experience.

51 2. The board may prescribe by rule the terms and
52 conditions for reexaminations and fees to be paid for
53 reexaminations.

54 3. A person who, on August 28, 2001, holds an
55 individual permit issued pursuant to the laws of this state
56 shall not be required to obtain additional licenses pursuant
57 to sections 326.280 to 326.286, and the licenses issued
58 shall be considered licenses issued pursuant to sections
59 326.280 to 326.286. However, such persons shall be subject
60 to the provisions of section 326.286 for renewal of licenses.

61 4. Upon application, the board may issue a temporary
62 license to an applicant pursuant to this subsection for a
63 person who has made a prima facie showing that the applicant
64 meets all of the requirements for a license and possesses
65 the experience required. The temporary license shall be
66 effective only until the board has had the opportunity to
67 investigate the applicant's qualifications for licensure
68 pursuant to subsection 1 of this section and notify the
69 applicant that the applicant's application for a license has
70 been granted or rejected. In no event shall a temporary
71 license be in effect for more than twelve months after the
72 date of issuance nor shall a temporary license be reissued
73 to the same applicant. No fee shall be charged for a

74 temporary license. The holder of a temporary license which
75 has not expired, been suspended or revoked shall be deemed
76 to be the holder of a license issued pursuant to this
77 section until the temporary license expires, is terminated,
78 suspended or revoked.

79 [5. Prior to June 30, 2021, an applicant for an
80 examination who meets the educational requirements of
81 subdivision (4) of subsection 1 of this section or who
82 reasonably expects to meet those requirements within sixty
83 days after the examination shall be eligible for examination
84 if the applicant also meets the requirements of subdivisions
85 (2) and (3) of subsection 1 of this section. For an
86 applicant admitted to examination on the reasonable
87 expectation that the applicant will meet the educational
88 requirements within sixty days, no license shall be issued
89 nor credit for the examination or any part thereof given
90 unless the educational requirement is in fact met within the
91 sixty-day period.]

326.283. 1. (1) **(a)** An individual whose principal
2 place of business, domicile, or residency is not in this
3 state and who holds a valid and unrestricted license **in good**
4 **standing** to practice public accounting from any state [which
5 the board or its designee has determined by rule to be in
6 substantial equivalence with the licensure requirements of
7 this chapter, or if the individual's qualifications are
8 substantially equivalent to the licensure requirements of
9 this chapter, shall be presumed to have qualifications
10 substantially equivalent to this state's requirements and]
11 shall have all the privileges of licensees of this state
12 without the need to obtain a license or to otherwise notify
13 or register with the board or pay any fee[. Provided,
14 however,] **provided that at the time of initial licensure,**

15 the individual was required to show evidence of having
16 passed the Uniform Certified Public Accountant Examination
17 and having met one of the following requirements:

18 a. A baccalaureate degree conferred by an accredited
19 college or university, with the total educational program
20 including an accounting concentration or equivalent, and not
21 less than two years of experience, both as defined by board
22 rule;

23 b. A baccalaureate degree plus an additional thirty
24 semester hours of college education conferred by an
25 accredited college or university, with the total educational
26 program including an accounting concentration or equivalent,
27 and not less than one year of experience, both as defined by
28 board rule; or

29 c. A post-baccalaureate degree conferred by an
30 accredited college or university, with the total educational
31 program including an accounting concentration or equivalent,
32 and not less than one year of experience, both as defined by
33 board rule.

34 (b) An individual, whose principal place of business,
35 domicile, or residency is not in this state and who holds a
36 valid and unrestricted license in good standing to practice
37 public accountancy from any state as of December 31, 2024,
38 and who, as of such date, has practice privileges in this
39 state under paragraph (a) of this subdivision, shall
40 continue to have all the privileges of licensees in this
41 state without the need to obtain a license or otherwise
42 notify or register with the board or pay any fee.

43 (c) The board may by rule require individuals with a
44 valid but restricted license to obtain a license.

45 (2) An individual who qualifies for the privilege to
46 practice under this section may offer or render professional

47 services in this state, whether in person, by mail,
48 telephone, or electronic means, and no notice or other
49 submission shall be required of any such individual.

50 (3) An individual licensee of another state exercising
51 the privilege afforded under this section and the firm which
52 employs such licensee hereby simultaneously consent, as a
53 condition of the grant of this privilege:

54 (a) To the personal and subject matter jurisdiction
55 and disciplinary authority of the board;

56 (b) To comply with this chapter and the board's rules;

57 (c) That in the event the license from any state is no
58 longer valid or unrestricted, the individual shall cease
59 offering or rendering professional services in this state
60 individually and on behalf of a firm; and

61 (d) To the appointment of the state board that issued
62 the individual's license as his or her agent upon whom
63 process may be served in any action or proceeding by this
64 board against the individual.

65 (4) An individual who has been granted the privilege
66 to practice under this section who performs attest or
67 compilation services shall comply with the provisions of
68 section 326.289.

69 (5) Nothing in this chapter shall prohibit temporary
70 practice in this state for professional business incidental
71 to a CPA's regular practice outside this state. "Temporary
72 practice" means that practice related to the direct purpose
73 of an engagement for a client located outside this state,
74 which engagement began outside this state and extends into
75 this state through common ownership, existence of a
76 subsidiary, assets or other operations located within this
77 state.

78 2. A licensee of this state offering or rendering
79 services or using his or her certified public accountant
80 title in another state shall be subject to disciplinary
81 action in this state for an act committed in another state
82 for which the licensee would be subject to discipline for an
83 act committed in the other state. Notwithstanding the
84 provisions of section 326.274 to the contrary, the board may
85 investigate any complaint made by the board of accountancy
86 of another state.

 326.286. 1. The board may grant or renew licenses to
2 persons who make application and demonstrate that their
3 qualifications, including the qualifications prescribed by
4 section 326.280, are in accordance with this section.

5 2. Licenses shall be initially issued and renewed for
6 periods of not more than three years and shall expire on the
7 renewal date following issuance or renewal. Applications
8 for licenses shall be made in such form, and in the case of
9 applications for renewal, between such dates, as the board
10 by rule shall specify. Application and renewal fees shall
11 be determined by the board by rule.

12 3. With regard to applicants that do not qualify for
13 reciprocity pursuant to subsection 1 of this section, the
14 board may issue a license to an applicant upon a showing
15 that:

16 (1) The applicant passed the examination required for
17 issuance of the applicant's certificate with grades that
18 would have been passing grades at the time in this state;

19 (2) The applicant had four years of experience outside
20 of this state of the type described in subdivision (6) of
21 subsection 1 of section 326.280 or meets equivalent
22 requirements prescribed by the board by rule, after passing
23 the examination upon which the applicant's license was based

24 and within the ten years immediately preceding the
25 application; and

26 (3) If the applicant's certificate, license or permit
27 was issued more than four years prior to the application for
28 issuance of a license pursuant to this section, the
29 applicant has fulfilled the requirements of continuing
30 professional education that would have been applicable
31 pursuant to subsection **[6] 5** of this section.

32 4. As an alternative to the requirements of subsection
33 3 of this section, a certified public accountant licensed by
34 another state who establishes a principal place of business
35 in this state shall request the issuance of a license from
36 the board prior to establishing the principal place of
37 business. The board may issue a license to the person **[who**
38 **obtains verification from the NASBA National Qualification**
39 **Appraisal Service that the individual's qualifications are**
40 **substantially equivalent to the licensure requirements of**
41 **sections 326.250 to 326.331] whose qualifications the board**
42 **verifies to be comparable to the initial licensure**
43 **requirements of section 326.280.**

44 5. **[An application pursuant to this section may be**
45 **made through the NASBA Qualification Appraisal Service.**

46 **6.]** Each licensee shall participate in a program of
47 learning designed to maintain professional competency. The
48 program of learning shall comply with rules adopted by the
49 board. The board may create by rule an exception to such
50 requirement for licensees who do not perform or offer to
51 perform for the public one or more kinds of services
52 involving the use of accounting or auditing skills,
53 including issuance of reports on financial statements or of
54 one or more kinds of management advisory, financial advisory
55 or consulting services, or the preparation of tax returns or

56 the furnishing of advice on tax matters. Licensees granted
57 an exception by the board shall place the word "inactive"
58 adjacent to their certified public accountant title on any
59 business card, letterhead or any other document or device,
60 except their certified public accountant certificate, on
61 which their certified public accountant title appears.

62 [7.] 6. Applicants for initial issuance or renewal of
63 licenses pursuant to this section shall list all states in
64 which they have applied for or hold certificates, licenses
65 or permits and list any past denial, revocation or
66 suspension or any discipline of a certificate, license or
67 permit. Each holder of or applicant for a license shall
68 notify the board in writing within thirty days after its
69 occurrence of any issuance, denial, revocation or suspension
70 or any discipline of a certificate, license or permit by
71 another state.

72 [8.] 7. The board may issue a license to a holder of a
73 substantially equivalent foreign designation, provided that:

74 (1) The foreign authority which granted the
75 designation makes similar provisions to allow a person who
76 holds a valid license issued by this state to obtain such
77 foreign authority's comparable designation; and

78 (2) The foreign designation:

79 (a) Was duly issued by a foreign authority that
80 regulates the practice of public accounting and the foreign
81 designation has not expired or been revoked or suspended;

82 (b) Entitles the holder to issue reports upon
83 financial statements; and

84 (c) Was issued upon the basis of educational,
85 examination and experience requirements established by the
86 foreign authority or by law; and

87 (3) The applicant:

88 (a) Received the designation based on educational and
89 examination standards substantially equivalent to those in
90 effect in this state at the time the foreign designation was
91 granted;

92 (b) Completed an experience requirement substantially
93 equivalent to the requirement set out in subdivision (6) of
94 subsection 1 of section 326.280 in the jurisdiction which
95 granted the foreign designation or has completed four years
96 of professional experience in this state, or meets
97 equivalent requirements prescribed by the board by rule
98 within the ten years immediately preceding the application;
99 and

100 (c) Passed a uniform qualifying examination in
101 national standards and an examination on the laws,
102 regulations and code of ethical conduct in effect in this
103 state acceptable to the board.

104 [9.] 8. An applicant pursuant to subsection [8] 7 of
105 this section shall list all jurisdictions, foreign and
106 domestic, in which the applicant has applied for or holds a
107 designation to practice public accounting. Each holder of a
108 license issued pursuant to this subsection shall notify the
109 board in writing within thirty days after its occurrence of
110 any issuance, denial, revocation, suspension or any
111 discipline of a designation or commencement of a
112 disciplinary or enforcement action by any jurisdiction.

113 [10.] 9. The board has the sole authority to interpret
114 the application of the provisions of subsections 7 and 8
115 [and 9] of this section.

326.289. 1. The board may grant or renew permits to
2 practice as a certified public accounting firm to applicants
3 that demonstrate their qualifications in accordance with
4 this chapter.

5 (1) The following shall hold a permit issued under
6 this chapter:

7 (a) Any firm with an office in this state, as defined
8 by the board by rule, offering or performing attest or
9 compilation services; or

10 (b) Any firm with an office in this state that uses
11 the title "CPA" or "CPA firm".

12 (2) Any firm that does not have an office in this
13 state may offer or perform attest or compilation services in
14 this state without a valid permit only if it meets each of
15 the following requirements:

16 (a) It complies with the qualifications described in
17 subdivision (1) of subsection 4 of this section;

18 (b) It complies with the requirements of peer review
19 as set forth in this chapter and the board's promulgated
20 regulations;

21 (c) It performs such services through an individual
22 with practice privileges under section 326.283; and

23 (d) It can lawfully do so in the state where said
24 individual with the privilege to practice has his or her
25 principal place of business.

26 (3) A firm which is not subject to the requirements of
27 subdivisions (1) or (2) of this subsection may perform other
28 nonattest or noncompilation services while using the title
29 "CPA" or "CPA firm" in this state without a permit issued
30 under this section only if it:

31 (a) Performs such services through an individual with
32 the privilege to practice under section 326.283; and

33 (b) Can lawfully do so in the state where said
34 individual with privilege to practice has his or her
35 principal place of business.

36 (4) (a) All firms practicing public accounting in
37 this state shall register with the secretary of state.

38 (b) Firms which may be exempt from this requirement
39 include:

40 a. Sole proprietorships;

41 b. Trusts created pursuant to revocable trust
42 agreements, of which the trustee is a natural person who
43 holds a license or privilege to practice as set forth in
44 section 326.280, 326.283, or 326.286;

45 c. General partnerships not operating as a limited
46 liability partnership; or

47 d. Foreign professional corporations which do not meet
48 criteria of chapter 356 due to name or ownership, shall
49 obtain a certificate of authority as a general corporation.
50 Notwithstanding the provisions of chapter 356, the secretary
51 of state may issue a certificate of authority to a foreign
52 professional corporation which does not meet the criteria of
53 chapter 356 due to name or ownership, if the corporation
54 meets the requirements of this section and the rules of the
55 board.

56 (5) **A sole practitioner or single member limited**
57 **liability company (LLC) using the title of "certified public**
58 **accountant(s)", "CPA", or similar abbreviation in their**
59 **business name may request exemption from the firm permit**
60 **requirements of paragraph (b) of subdivision (1) of this**
61 **subsection by submitting a written request to the board that**
62 **affirms the business does not offer nor perform attest**
63 **services nor other services subject to peer review.**

64 2. Permits shall be initially issued and renewed for
65 periods of not more than three years or for a specific
66 period as prescribed by board rule following issuance or
67 renewal.

68 3. The board shall determine by rule the form for
69 application and renewal of permits and shall annually
70 determine the fees for permits and their renewals.

71 4. An applicant for initial issuance or renewal of a
72 permit to practice under this section shall be required to
73 show that:

74 (1) A simple majority of the ownership of the firm, in
75 terms of financial interests and voting rights of all
76 partners, officers, principals, shareholders, members or
77 managers, belongs to licensees who are licensed in some
78 state, and the partners, officers, principals, shareholders,
79 members or managers, whose principal place of business is in
80 this state and who perform professional services in this
81 state are licensees under section 326.280 or the
82 corresponding provision of prior law. Although firms may
83 include nonlicensee owners, the firm and its ownership shall
84 comply with rules promulgated by the board;

85 (2) Any certified public accounting firm may include
86 owners who are not licensees provided that:

87 (a) The firm designates a licensee of this state, or
88 in the case of a firm which must have a permit under this
89 section designates a licensee of another state who meets the
90 requirements of section 326.283, who is responsible for the
91 proper registration of the firm and identifies that
92 individual to the board;

93 (b) All nonlicensee owners are active individual
94 participants in the certified public accounting firm or
95 affiliated entities;

96 (c) All owners are of good moral character; and

97 (d) The firm complies with other requirements as the
98 board may impose by rule;

99 (3) Any licensee who is responsible for supervising
100 attest services, or signs or authorizes someone to sign the
101 licensee's report on the financial statements on behalf of
102 the firm, shall meet competency requirements as determined
103 by the board by rule which shall include one year of
104 experience in addition to the experience required under
105 subdivision (6) of subsection 1 of section 326.280 and shall
106 be verified by a licensee. The additional experience
107 required by this subsection shall include experience in
108 attest work supervised by a licensee.

109 5. An applicant for initial issuance or renewal of a
110 permit to practice shall register each office of the firm
111 within this state with the board and show that all attest
112 and compilation services rendered in this state are under
113 the charge of a licensee.

114 6. No licensee or firm holding a permit under this
115 chapter shall use a professional or firm name or designation
116 that is misleading as to:

117 (1) The legal form of the firm;

118 (2) The persons who are partners, officers, members,
119 managers or shareholders of the firm; or

120 (3) Any other matter.

121 The names of one or more former partners, members or
122 shareholders may be included in the name of a firm or its
123 successor unless the firm becomes a sole proprietorship
124 because of the death or withdrawal of all other partners,
125 officers, members or shareholders. A firm may use a
126 fictitious name if the fictitious name is registered with
127 the board and is not otherwise misleading. The name of a
128 firm shall not include the name or initials of an individual
129 who is not a present or a past partner, member or

130 shareholder of the firm or its predecessor. The name of the
131 firm shall not include the name of an individual who is not
132 a licensee.

133 7. Applicants for initial issuance or renewal of
134 permits shall list in their application all states in which
135 they have applied for or hold permits as certified public
136 accounting firms and list any past denial, revocation,
137 suspension or any discipline of a permit by any other
138 state. Each holder of or applicant for a permit under this
139 section shall notify the board in writing within thirty days
140 after its occurrence of any change in the identities of
141 partners, principals, officers, shareholders, members or
142 managers whose principal place of business is in this state;
143 any change in the number or location of offices within this
144 state; any change in the identity of the persons in charge
145 of such offices; and any issuance, denial, revocation,
146 suspension or any discipline of a permit by any other state.

147 8. Firms which fall out of compliance with the
148 provisions of this section due to changes in firm ownership
149 or personnel after receiving or renewing a permit shall take
150 corrective action to bring the firm back into compliance as
151 quickly as possible. The board may grant a reasonable
152 period of time for a firm to take such corrective action.
153 Failure to bring the firm back into compliance within a
154 reasonable period as defined by the board may result in the
155 suspension or revocation of the firm permit.

156 9. The board shall require by rule, as a condition to
157 the renewal of permits, that firms undergo, no more
158 frequently than once every three years, peer reviews
159 conducted in a manner as the board shall specify. The
160 review shall include a verification that individuals in the
161 firm who are responsible for supervising attest and

162 compilation services or sign or authorize someone to sign
163 the accountant's report on the financial statements on
164 behalf of the firm meet the competency requirements set out
165 in the professional standards for such services, provided
166 that any such rule:

167 (1) Shall include reasonable provision for compliance
168 by a firm showing that it has within the preceding three
169 years undergone a peer review that is [a satisfactory
170 equivalent] **comparable** to peer review generally required
171 under this subsection;

172 (2) May require, with respect to peer reviews, that
173 peer reviews be subject to oversight by an oversight body
174 established or sanctioned by board rule, which shall
175 periodically report to the board on the effectiveness of the
176 review program under its charge and provide to the board a
177 listing of firms that have participated in a peer review
178 program that is satisfactory to the board; and

179 (3) Shall require, with respect to peer reviews, that
180 the peer review processes be operated and documents
181 maintained in a manner designed to preserve confidentiality,
182 and that the board or any third party other than the
183 oversight body shall not have access to documents furnished
184 or generated in the course of the peer review of the firm
185 except as provided in subdivision (2) of this subsection.

186 10. The board may, by rule, charge a fee for oversight
187 of peer reviews, provided that the fee charged shall be
188 [substantially equivalent] **comparable** to the cost of
189 oversight.

190 11. Notwithstanding any other provision in this
191 section, the board may obtain the following information
192 regarding peer review from any approved American Institute
193 for Certified Public Accountants peer review program:

- 194 (1) The firm's name and address;
195 (2) The firm's dates of enrollment in the program;
196 (3) The date of acceptance and the period covered by
197 the firm's most recently accepted peer review; and
198 (4) If applicable, whether the firm's enrollment in
199 the program has been dropped or terminated.

200 12. In connection with proceedings before the board or
201 upon receipt of a complaint involving the licensee
202 performing peer reviews, the board shall not have access to
203 any documents furnished or generated in the course of the
204 performance of the peer reviews except for peer review
205 reports, letters of comment and summary review memoranda.
206 The documents shall be furnished to the board only in a
207 redacted manner that does not specifically identify any firm
208 or licensee being peer reviewed or any of their clients.

209 13. The peer review processes shall be operated and
210 the documents generated thereby be maintained in a manner
211 designed to preserve their confidentiality. No third party,
212 other than the oversight body, the board, subject to the
213 provisions of subsection 12 of this section, or the
214 organization performing peer review shall have access to
215 documents furnished or generated in the course of the
216 review. All documents shall be privileged and closed
217 records for all purposes and all meetings at which the
218 documents are discussed shall be considered closed meetings
219 under subdivision (1) of section 610.021. The proceedings,
220 records and workpapers of the board and any peer review
221 subjected to the board process shall be privileged and shall
222 not be subject to discovery, subpoena or other means of
223 legal process or introduction into evidence at any civil
224 action, arbitration, administrative proceeding or board
225 proceeding. No member of the board or person who is

226 involved in the peer review process shall be permitted or
227 required to testify in any civil action, arbitration,
228 administrative proceeding or board proceeding as to any
229 matters produced, presented, disclosed or discussed during
230 or in connection with the peer review process or as to any
231 findings, recommendations, evaluations, opinions or other
232 actions of such committees or any of its members; provided,
233 however, that information, documents or records that are
234 publicly available shall not be subject to discovery or use
235 in any civil action, arbitration, administrative proceeding
236 or board proceeding merely because they were presented or
237 considered in connection with the peer review process.

326.292. 1. Only licensees may issue a report on
2 financial statements of any person, firm, organization or
3 governmental unit or offer to render or render any attest
4 service. Such restriction shall not prohibit any act of a
5 public official or public employee in the performance of the
6 person's duties as such; nor prohibit the performance by any
7 nonlicensee of other services involving the use of
8 accounting skills, including the preparation of tax returns,
9 management advisory services and the preparation of
10 nonattest financial statements. Nonlicensees may prepare
11 financial statements and issue nonattest transmittals or
12 information thereon which do not purport to be in compliance
13 with the Statements on Standards for Accounting and Review
14 Services (SSARS).

15 2. Only certified public accountants shall use or
16 assume the title certified public accountant, or the
17 abbreviation CPA or any other title, designation, words,
18 letters, abbreviation, sign, card or device tending to
19 indicate that such person is a certified public accountant.
20 Nothing in this section shall prohibit:

21 (1) A certified public accountant whose certificate
22 was in full force and effect, issued pursuant to the laws of
23 this state prior to August 28, 2001, and who does not engage
24 in the practice of public accounting, auditing, bookkeeping
25 or any similar occupation, from using the title certified
26 public accountant or abbreviation CPA;

27 (2) A person who holds a certificate, then in force
28 and effect, issued pursuant to the laws of this state prior
29 to August 28, 2001, and who is regularly employed by or is a
30 director or officer of a corporation, partnership,
31 association or business trust, in his or her capacity as
32 such, from signing, delivering or issuing any financial,
33 accounting or related statement, or report thereon relating
34 to such corporation, partnership, association or business
35 trust provided the capacity is so designated, and provided
36 in the signature line the title CPA or certified public
37 accountant is not designated.

38 3. No firm shall provide attest or compilation
39 services or assume or use the title certified public
40 accountants or the abbreviation CPAs, or any other title,
41 designation, words, letters, abbreviation, sign, card or
42 device tending to indicate that such firm is a certified
43 public accounting firm unless:

44 (1) The firm holds a valid permit [issued under
45 section 326.289] or is a firm exempt from the permit
46 requirement under [subdivisions (2) and (3) of subsection 1
47 of] section 326.289 and complies with all other applicable
48 provisions of that section; and

49 (2) Ownership of the firm is in accord with section
50 326.289 and rules promulgated by the board.

51 4. Only persons holding a valid license or permit
52 issued under section 326.280 or 326.289, or persons

53 qualifying for the privilege to practice under section
54 326.283, and firms exempt from the permit requirement under
55 subsection 1 of section 326.289, shall assume or use the
56 title certified accountant, chartered accountant, enrolled
57 accountant, licensed accountant, registered accountant,
58 accredited accountant or any other title or designation
59 likely to be confused with the titles certified public
60 accountant or public accountant, or use any of the
61 abbreviations CA, LA, RA, AA or similar abbreviation likely
62 to be confused with the abbreviation CPA or PA. The title
63 enrolled agent or EA shall only be used by individuals so
64 designated by the Internal Revenue Service. Nothing in this
65 section shall prohibit the use or issuance of a title for
66 nonattest services provided that the organization and the
67 title issued by the organization existed prior to August 28,
68 2001.

69 5. (1) Nonlicensees shall not use language in any
70 statement relating to the financial affairs of a person or
71 entity that is conventionally used by certified public
72 accountants in reports on financial statements.

73 Nonlicensees may use the following safe harbor language:

74 (a) For compilations:

75 "I (We) have prepared the accompanying (financial
76 statements) of (name of entity) as of (time period) for the
77 (period) then ended. This presentation is limited to
78 preparing in the form of a financial statement information
79 that is the representation of management (owners). I (We)
80 have not audited or reviewed the accompanying financial
81 statements and accordingly do not express an opinion or any
82 other form of assurance on them."

83 (b) For reviews:

84 "I (We) reviewed the accompanying (financial
85 statements) of (name of entity) as of (time period) for the
86 (period) then ended. These financial statements
87 (information) are (is) the responsibility of the company's
88 management. I (We) have not audited the accompanying
89 financial statements and accordingly do not express an
90 opinion or any other form of assurance on them."

91 (2) Only persons or firms holding a valid license or
92 permit issued under section 326.280 or 326.289 shall assume
93 or use any title or designation that includes the words
94 accountant or accounting in connection with any other
95 language, including the language of a report, that implies
96 that the person or firm holds a license or permit or has
97 special competence as an accountant or auditor; provided,
98 however, that this subsection shall not prohibit any
99 officer, partner, principal, member, manager or employee of
100 any firm or organization from affixing such person's own
101 signature to any statement in reference to the financial
102 affairs of the firm or organization with any wording
103 designating the position, title or office that the person
104 holds therein nor prohibit any act of a public official or
105 employee in the performance of the person's duties as such.
106 Nothing in this subsection shall prohibit the singular use
107 of "accountant" or "accounting" for nonattest purposes.

108 6. Licensees signing or authorizing someone to sign
109 reports on financial statements when performing attest or
110 compilation services shall provide those services in
111 accordance with professional standards as determined by the
112 board by rule.

113 7. No licensee or firm holding a permit under sections
114 326.280 to 326.289 shall use a professional or firm name or
115 designation that is misleading about the legal form of the

116 firm, or about the persons who are partners, principals,
117 officers, members, managers or shareholders of the firm, or
118 about any other matter.

119 8. None of the foregoing provisions of this section
120 shall apply to a person or firm holding a certification,
121 designation, degree or license granted in a foreign country
122 entitling the holder to engage in the practice of public
123 accounting or its equivalent in the country whose activities
124 in this state are limited to the provision of professional
125 services to persons or firms who are residents of,
126 governments of, or business entities of the country in which
127 the person holds the entitlement, who performs no attest or
128 compilation services and who issues no reports with respect
129 to the financial statements of any other persons, firms or
130 governmental units in this state, and who does not use in
131 this state any title or designation other than the one under
132 which the person practices in such country, followed by a
133 translation of such title or designation into the English
134 language, if it is in a different language, and by the name
135 of such country.

136 9. No licensee shall perform attest or compilation
137 services through any certified public accounting firm that
138 does not hold a valid permit issued under section 326.289.

139 10. Nothing herein shall prohibit a practicing
140 attorney or firm of attorneys from preparing or presenting
141 records or documents customarily prepared by an attorney or
142 firm of attorneys in connection with the attorney's
143 professional work in the practice of law.

144 11. Nothing herein shall prohibit any trustee,
145 executor, administrator, referee or commissioner from
146 signing and certifying financial reports incident to his or
147 her duties in that capacity.

148 12. Nothing herein shall prohibit any director or
149 officer of a corporation, partner or a partnership, sole
150 proprietor of a business enterprise, member of a joint
151 venture, member of a committee appointed by stockholders,
152 creditors or courts, or an employee of any of the foregoing,
153 in his or her capacity as such, from signing, delivering or
154 issuing any financial, accounting or related statement, or
155 report thereon, relating to the corporation, partnership,
156 business enterprise, joint venture or committee, provided
157 the capacity is designated on the statement or report.

158 13. (1) A licensee shall not for a commission
159 recommend or refer to a client any product or service, or
160 for a commission recommend or refer any product or service
161 to be supplied by a client, or receive a commission, when
162 the licensee also performs for that client:

163 (a) Attest services; or

164 (b) A compilation of a financial statement when the
165 licensee expects, or reasonably may expect, that a third
166 party will use the financial statement and the licensee's
167 compilation report does not disclose a lack of independence;
168 or

169 (c) An examination of prospective financial
170 information.

171 Such prohibition applies during the period in which the
172 licensee is engaged to perform any of the services listed
173 above and the period covered by any historical financial
174 statements involved in such listed services.

175 (2) A licensee who is not prohibited by this section
176 from performing services for or receiving a commission and
177 who is paid or expects to be paid a commission shall
178 disclose in writing that fact to any person or entity to

179 whom the licensee recommends or refers a product or service
180 to which the commission relates.

181 (3) Any licensee who accepts a referral fee for
182 recommending or referring any service of a licensee to any
183 person or entity or who pays a referral fee to obtain a
184 client shall disclose in writing the acceptance or payment
185 to the client.

186 14. (1) A licensee shall not:

187 (a) Perform for a contingent fee any professional
188 services for, or receive a fee from, a client for whom the
189 licensee or the licensees's firm performs:

190 a. Attest services;

191 b. A compilation of a financial statement when the
192 licensee expects, or reasonably might expect, that a third
193 party will use the financial statement and the licensee's
194 compilation report does not disclose a lack of independence;
195 or

196 c. An examination of prospective financial information;

197 (b) Prepare an original tax return or claim for a tax
198 refund for a contingent fee for any client; or

199 (c) Prepare an amended tax return or claim for a tax
200 refund for a contingent fee for any client, unless permitted
201 by board rule.

202 (2) The prohibition in subdivision (1) of this
203 subsection applies during the period in which the licensee
204 is engaged to perform any of those services and the period
205 covered by any historical financial statements involved in
206 any services.

207 (3) A contingent fee is a fee established for the
208 performance of any service pursuant to an arrangement in
209 which no fee will be charged unless a specified finding or
210 result is attained, or in which the amount of the fee is

211 otherwise dependent upon the finding or result of the
212 service. Solely for purposes of this section, fees are not
213 regarded as being contingent if fixed by courts or other
214 public authorities, or, in tax matters, if determined based
215 on the results of judicial proceedings or the findings of
216 governmental agencies. A licensee's fees may vary
217 depending, for example, on the complexity of services
218 rendered.

219 15. Any person who violates any provision of
220 subsections 1 to 5 of this section shall be guilty of a
221 class A misdemeanor. Whenever the board has reason to
222 believe that any person has violated this section it may
223 certify the facts to the attorney general of this state or
224 bring other appropriate proceedings.

327.011. As used in this chapter, the following words
2 and terms shall have the meanings indicated:

3 (1) "Accredited degree program from a school of
4 architecture", a degree from any school or other institution
5 which teaches architecture and whose curricula for the
6 degree in question have been, at the time in question,
7 certified as accredited by the National Architectural
8 Accrediting Board;

9 (2) **"Accredited degree program from a school of**
10 **interior design"**, a degree from any school or other
11 **institution which teaches interior design and whose**
12 **curricula for the degree in question have been, at the time**
13 **in question, certified as accredited by the Council for**
14 **Interior Design Accreditation or an accreditation body**
15 **recognized by the United States Department of Education;**

16 (3) "Accredited school of engineering", any school or
17 other institution which teaches engineering and whose
18 curricula on the subjects in question are or have been, at

19 the time in question certified as accredited by the
20 engineering accreditation commission of the accreditation
21 board for engineering and technology or its successor
22 organization;

23 [(3)] (4) "Accredited school of landscape
24 architecture", any school or other institution which teaches
25 landscape architecture and whose curricula on the subjects
26 in question are or have been at the times in question
27 certified as accredited by the Landscape Architecture
28 Accreditation Board of the American Society of Landscape
29 Architects;

30 [(4)] (5) "Architect", any person authorized pursuant
31 to the provisions of this chapter to practice architecture
32 in Missouri, as the practice of architecture is defined in
33 section 327.091;

34 [(5)] (6) "Board", the Missouri board for architects,
35 professional engineers, professional land surveyors [and],
36 professional landscape architects, **and licensed interior**
37 **designers**;

38 [(6)] (7) "Corporation", any general business
39 corporation, professional corporation or limited liability
40 company;

41 [(7)] (8) "Design coordination", the review and
42 coordination of technical submissions prepared by others
43 including, as appropriate and without limitation,
44 architects, professional engineers, professional land
45 surveyors, professional landscape architects, **licensed**
46 **interior designers**, and other consultants;

47 [(8)] (9) "Design survey", a survey which includes all
48 activities required to gather information to support the
49 sound conception, planning, design, construction,
50 maintenance, and operation of design projects, but excludes

51 the surveying of real property for the establishment of land
52 boundaries, rights-of-way, easements, and the dependent or
53 independent surveys or resurveys of the public land survey
54 system;

55 [(9)] (10) "Incidental practice", the performance of
56 other professional services licensed under this chapter that
57 are related to a licensee's professional service, but are
58 secondary and substantially less in scope and magnitude when
59 compared to the professional services usually and normally
60 performed by the licensee practicing in their licensed
61 profession. This incidental professional service shall be
62 safely and competently performed by the licensee without
63 jeopardizing the health, safety, and welfare of the public.
64 The licensee shall be qualified by education, training, and
65 experience as determined by the board and in sections
66 327.091, 327.181, 327.272, [and] 327.600, **and 327.700** and
67 applicable board rules to perform such incidental
68 professional service;

69 (11) **"Licensed interior designer", any person**
70 **authorized pursuant to the provisions of this chapter to**
71 **practice as a licensed interior designer in Missouri, as the**
72 **practice of licensed interior design is defined in section**
73 **327.700;**

74 [(10)] (12) "Licensee", a person licensed to practice
75 any profession regulated under this chapter or a corporation
76 authorized to practice any such profession;

77 [(11)] (13) "Partnership", any partnership or limited
78 liability partnership;

79 [(12)] (14) "Person", any individual, corporation,
80 firm, partnership, association or other entity authorized to
81 do business;

82 [(13)] (15) "Professional engineer", any person
83 authorized pursuant to the provisions of this chapter to
84 practice as a professional engineer in Missouri, as the
85 practice of engineering is defined in section 327.181;

86 [(14)] (16) "Professional land surveyor", any person
87 authorized pursuant to the provisions of this chapter to
88 practice as a professional land surveyor in Missouri as the
89 practice of land surveying is defined in section 327.272;

90 [(15)] (17) "Professional landscape architect", any
91 person authorized pursuant to the provisions of this chapter
92 to practice as a professional landscape architect in
93 Missouri as the practice of **professional** landscape
94 architecture is defined in section 327.600;

95 [(16)] (18) "Responsible charge", the independent
96 direct control of a licensee's work and personal supervision
97 of such work pertaining to the practice of architecture,
98 engineering, land surveying, [or] landscape architecture, **or**
99 **interior design.**

327.031. 1. The "Missouri Board for Architects,
2 Professional Engineers, Professional Land Surveyors [and],
3 Professional Landscape Architects, **and Licensed Interior**
4 **Designers**" is hereby established and shall consist of
5 [(fifteen)] **seventeen** members: a chairperson, who may be
6 either an architect, a professional engineer, a professional
7 land surveyor, [or] a professional landscape architect, **or a**
8 **licensed interior designer**; three architects, who shall
9 constitute the architectural division of the board; four
10 professional engineers, who shall constitute its
11 professional engineering division; three professional land
12 surveyors, who shall constitute its professional land
13 surveying division; three professional landscape architects,
14 who shall constitute its professional landscape

15 architectural division; **two licensed interior designers, who**
16 **shall constitute its licensed interior design division;** and
17 a voting public member.

18 2. After receiving his or her commission and before
19 entering upon the discharge of his or her official duties,
20 each member of the board shall take, subscribe to and file
21 in the office of the secretary of state the official oath
22 required by the constitution.

23 3. The chairperson shall be the administrative and
24 executive officer of the board, and it shall be his or her
25 duty to supervise and expedite the work of the board and its
26 divisions, and, at his or her election, when a tie exists
27 between the divisions of the board, to break the tie by
28 recording his or her vote for or against the action upon
29 which the divisions are in disagreement. Each member of the
30 architectural division shall have one vote when voting on an
31 action pending before the board; each member of the
32 professional engineering division shall have one vote when
33 voting on an action pending before the board; each member of
34 the professional land surveying division shall have one vote
35 when voting on an action pending before the board; **[and]**
36 each member of the professional landscape architectural
37 division shall have one vote when voting on an action
38 pending before the board; **and each member of the licensed**
39 **interior design division shall have one vote when voting on**
40 **an action pending before the board.** Every motion or
41 proposed action upon which the divisions of the board are
42 tied shall be deemed lost, and the chairperson shall so
43 declare, unless the chairperson shall elect to break the tie
44 as provided in this section. **[Eight] Nine** voting members of
45 the board, including at least one member of each division,

46 shall constitute a quorum, respectively, for the transaction
47 of board business.

48 4. Each division of the board shall, at its first
49 meeting in each even-numbered year, elect one of its members
50 as division chairperson for a term of two years. Two voting
51 members of each division of the board shall constitute a
52 quorum for the transaction of division business. The
53 chairpersons of the architectural division, professional
54 engineering division, professional land surveying division,
55 [and] professional landscape architectural division, **and**
56 **licensed interior design division** so elected shall be vice
57 chairpersons of the board[, and]. When the chairperson of
58 the board is an architect, the chairperson of the
59 architectural division shall be the ranking vice
60 chairperson[, and]; when the chairperson of the board is a
61 professional engineer, the chairperson of the professional
62 engineering division shall be the ranking vice
63 chairperson[,]; when the chairperson of the board is a
64 professional land surveyor, the chairperson of the
65 professional land surveying division shall be the ranking
66 vice chairperson[, and]; when the chairperson of the board
67 is a professional landscape architect, the chairperson of
68 the professional landscape architectural division shall be
69 the ranking vice chairperson; **and when the chairperson of**
70 **the board is a licensed interior designer, the chairperson**
71 **of the licensed interior design division shall be the**
72 **ranking vice chairperson.** The chairperson of each division
73 shall be the administrative and executive officer of his or
74 her division, and it shall be his or her duty to supervise
75 and expedite the work of the division, and, in case of a tie
76 vote on any matter, the chairperson shall, at his or her
77 election, break the tie by his or her vote. Every motion or

78 question pending before the division upon which a tie exists
79 shall be deemed lost, and so declared by the chairperson of
80 the division, unless the chairperson shall elect to break
81 such tie by his or her vote.

82 5. **(1)** Any person appointed to the board, except a
83 public member, shall be a currently licensed architect,
84 licensed professional engineer, licensed professional land
85 surveyor [or], licensed professional landscape architect, **or**
86 **licensed interior designer** in Missouri, as the vacancy on
87 the board may require, who has been a resident of Missouri
88 for at least five years, who has been engaged in active
89 practice as an architect, professional engineer,
90 professional land surveyor [or], professional landscape
91 architect, **or licensed interior designer**, as the case may
92 be, for at least ten consecutive years as a Missouri
93 licensee immediately preceding such person's appointment,
94 and who is and has been a citizen of the United States for
95 at least five years immediately preceding such person's
96 appointment.

97 **(2) (a)** Active service as a faculty member while
98 holding the rank of assistant professor or higher in an
99 accredited school of engineering shall be regarded as active
100 practice of engineering, for the purposes of this chapter.

101 **(b)** Active service as a faculty member, after meeting
102 the qualifications required by section 327.314, while
103 holding the rank of assistant professor or higher in an
104 accredited school of engineering and teaching land surveying
105 courses shall be regarded as active practice of land
106 surveying for the purposes of this chapter.

107 **(c)** Active service as a faculty member while holding
108 the rank of assistant professor or higher in an accredited
109 school of landscape architecture shall be regarded as active

110 practice of landscape architecture, for the purposes of this
111 chapter.

112 **(d)** Active service as a faculty member while holding
113 the rank of assistant professor or higher in an accredited
114 school of architecture shall be regarded as active practice
115 of architecture for the purposes of this chapter; provided,
116 however, that no faculty member of an accredited school of
117 architecture shall be eligible for appointment to the board
118 unless such person has had at least three years' experience
119 in the active practice of architecture other than in
120 teaching.

121 **(e)** Active service as a faculty member while holding
122 the rank of assistant professor or higher in an accredited
123 school of interior design shall be regarded as active
124 practice of licensed interior design for the purposes of
125 this chapter, provided that no faculty member of an
126 accredited school of interior design shall be eligible for
127 appointment to the board unless such person has had at least
128 three years of experience in the active practice of licensed
129 interior design other than in teaching.

130 **(3)** The public member shall be, at the time of
131 appointment, a citizen of the United States; a resident of
132 this state for a period of one year and a registered voter;
133 a person who is not and never was a member of any profession
134 licensed or regulated pursuant to this chapter or the spouse
135 of such person; and a person who does not have and never has
136 had a material, financial interest in either the providing
137 of the professional services regulated by this chapter, or
138 an activity or organization directly related to any
139 profession licensed or regulated pursuant to this chapter.
140 All members, including public members, shall be chosen from
141 lists submitted by the director of the division of

142 professional registration. The duties of the public member
143 shall not include the determination of the technical
144 requirements to be met for licensure or whether any person
145 meets such technical requirements or of the technical
146 competence or technical judgment of a licensee or a
147 candidate for licensure.

148 6. The governor shall appoint the chairperson and the
149 other members of the board when a vacancy occurs either by
150 the expiration of a term or otherwise, and each board member
151 shall serve until such member's successor is appointed and
152 has qualified. The position of chairperson shall rotate
153 sequentially with an architect, then professional engineer,
154 then professional land surveyor, **then licensed interior**
155 **designer, and** then professional landscape architect, and
156 shall be a licensee who has previously served as a member of
157 the board. The appointment of the chairperson shall be for
158 a term of four years which shall be deemed to have begun on
159 the date of his or her appointment and shall end upon the
160 appointment of the chairperson's successor. The chairperson
161 shall not serve more than one term. All other appointments,
162 except to fill an unexpired term, shall be for terms of four
163 years; but no person shall serve on the board for more than
164 two consecutive four-year terms, and each four-year term
165 shall be deemed to have begun on the date of the expiration
166 of the term of the board member who is being replaced or
167 reappointed, as the case may be. Any appointment to the
168 board which is made when the senate is not in session shall
169 be submitted to the senate for its advice and consent at its
170 next session following the date of the appointment.

171 7. In the event that a vacancy is to occur on the
172 board because of the expiration of a term, then ninety days
173 prior to the expiration, or as soon as feasible after a

174 vacancy otherwise occurs, the president of the American
175 Institute of Architects/Missouri if the vacancy to be filled
176 requires the appointment of an architect, the president of
177 the Missouri Society of Professional Engineers if the
178 vacancy to be filled requires the appointment of a
179 professional engineer, the president of the Missouri Society
180 of Professional Surveyors if the vacancy to be filled
181 requires the appointment of a professional land surveyor,
182 [and] the president of the Missouri Association of Landscape
183 Architects if the vacancy to be filled requires the
184 appointment of a professional landscape architect, **and the**
185 **president or other chief executive of any Missouri chapter**
186 **of the International Interior Design Association if the**
187 **vacancy to be filled requires the appointment of a licensed**
188 **interior designer**, shall submit to the director of the
189 division of professional registration a list of five
190 architects [or], five professional engineers, [or] five
191 professional land surveyors, [or] five professional
192 landscape architects, **or five licensed interior designers**,
193 as the case may require, qualified and willing to fill the
194 vacancy in question, with the recommendation that the
195 governor appoint one of the five persons so listed; and with
196 the list of names so submitted, the president **or other chief**
197 **executive** of the appropriate organization shall include in a
198 letter of transmittal a description of the method by which
199 the names were chosen. This subsection shall not apply to
200 public member vacancies.

201 8. The board may sue and be sued as the Missouri board
202 for architects, professional engineers, professional land
203 surveyors [and], professional landscape architects, **and**
204 **licensed interior designers**, and its members need not be
205 named as parties. Members of the board shall not be

206 personally liable either jointly or severally for any act or
207 acts committed in the performance of their official duties
208 as board members, nor shall any board member be personally
209 liable for any court costs which accrue in any action by or
210 against the board.

211 **9. Upon appointment by the governor and confirmation**
212 **by the senate of the two licensed interior designers to be**
213 **first appointed to the interior design division of the**
214 **board, the interior design council shall be abolished and**
215 **all of its powers, duties, and responsibilities shall be**
216 **transferred and imposed upon the board pursuant to this**
217 **section. Every act performed by or under the authority of**
218 **the board shall be deemed to have the same force and effect**
219 **as if performed by the interior design council pursuant to**
220 **the authority granted to the interior design council prior**
221 **to August 28, 2026. All rules of the interior design**
222 **council shall continue in effect and shall be deemed to be**
223 **duly adopted by the board until such rules are revised,**
224 **amended, or repealed by the board as provided by law, of**
225 **which such action shall be taken by the board on or before**
226 **January 1, 2027.**

327.041. 1. The board shall have the duty and the
2 power to carry out the purposes and to enforce and
3 administer the provisions of this chapter, to require, by
4 summons or subpoena, with the vote of two-thirds of the
5 voting board members, the attendance and testimony of
6 witnesses, and the production of drawings, plans, plats,
7 specifications, books, papers or any document representing
8 any matter under hearing or investigation, pertaining to the
9 issuance, probation, suspension or revocation of
10 certificates of registration or certificates of authority
11 provided for in this chapter, or pertaining to the unlawful

12 practice of architecture, professional engineering,
13 professional land surveying [or], professional landscape
14 architecture, **or licensed interior design.**

15 2. The board shall, within the scope and purview of
16 the provisions of this chapter, prescribe the duties of its
17 officers and employees and adopt, publish and enforce the
18 rules and regulations of professional conduct which shall
19 establish and maintain appropriate standards of competence
20 and integrity in the professions of architecture,
21 professional engineering, professional land surveying [and],
22 professional landscape architecture, **and licensed interior**
23 **design,** and adopt, publish and enforce procedural rules and
24 regulations as may be considered by the board to be
25 necessary or proper for the conduct of the board's business
26 and the management of its affairs, and for the effective
27 administration and interpretation of the provisions of this
28 chapter. Any rule or portion of a rule, as that term is
29 defined in section 536.010, that is created under the
30 authority delegated in this chapter shall become effective
31 only if it complies with and is subject to all of the
32 provisions of chapter 536 and, if applicable, section
33 536.028. This section and chapter 536 are nonseverable and
34 if any of the powers vested with the general assembly
35 pursuant to chapter 536 to review, to delay the effective
36 date or to disapprove and annul a rule are subsequently held
37 unconstitutional, then the grant of rulemaking authority and
38 any rule proposed or adopted after August 28, 2001, shall be
39 invalid and void.

40 3. Rules promulgated by the board pursuant to sections
41 327.272 to 327.635 shall be consistent with and shall not
42 supersede the rules promulgated by the department of natural
43 resources pursuant to chapter 60.

327.081. 1. All funds received pursuant to the provisions of this chapter shall be deposited in the state treasury to the credit of the "State Board for Architects, Professional Engineers, Professional Land Surveyors [and], Professional Landscape Architects, **and Licensed Interior Designers** Fund" which is hereby established. All expenditures authorized by this chapter shall be paid from funds appropriated to the board by the general assembly from this fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

3. **Upon appointment by the governor and confirmation by the senate of the two licensed interior designers to be first appointed to the interior design division of the board, all moneys in the interior designer council fund shall be transferred to the state board for architects, professional engineers, professional land surveyors, professional landscape architects, and licensed interior designers fund. The interior designer council fund shall be abolished upon the transfer of all moneys in the fund to the state board for architects, professional engineers,**

32 **professional land surveyors, professional landscape**
33 **architects, and licensed interior designers fund.**

327.381. The board may license, in its discretion, any
2 architect, professional engineer, professional land
3 surveyor, or professional landscape architect **who is**
4 **licensed, or any interior designer who is licensed,**
5 **certified, or registered,** in another state or territory of
6 the United States, province of Canada, or in another
7 country, when such applicant has qualifications which are at
8 least equivalent to the requirements for licensure as an
9 architect, professional engineer, professional land
10 surveyor, [or] professional landscape architect, **or licensed**
11 **interior designer** in this state, and provided further that
12 the board may establish by rule the conditions under which
13 it shall require any such applicant to take any examination
14 it considers necessary, and provided further that any such
15 application is accompanied by the required fee.

327.411. 1. Each architect and each professional
2 engineer and each professional land surveyor and each
3 professional landscape architect **and each licensed interior**
4 **designer** shall have a personal seal in a form prescribed by
5 the board, and he or she shall affix the seal to all final
6 technical submissions. Technical submissions shall include,
7 but are not limited to, drawings, specifications, plats,
8 surveys, exhibits, reports, and certifications of
9 construction prepared by the licensee, or under such
10 licensee's immediate personal supervision. Such licensee
11 shall either prepare or personally supervise the preparation
12 of all documents sealed by the licensee, and such licensee
13 shall be held personally responsible for the contents of all
14 such documents sealed by such licensee, whether prepared or
15 drafted by another licensee or not.

16 2. The personal seal of an architect or professional
17 engineer or professional land surveyor or professional
18 landscape architect **or licensed interior designer** shall be
19 the legal equivalent of the licensee's signature whenever
20 and wherever used, and the owner of the seal shall be
21 responsible for the architectural, engineering, land
22 surveying, [or] landscape architectural, **or interior design**
23 documents, as the case may be, when the licensee places his
24 or her personal seal on such technical submissions to be
25 used in connection with, any architectural or engineering
26 project, survey, [or] landscape architectural project, **or**
27 **interior alteration or construction project, as such term is**
28 **defined in section 327.700.** Licensees shall undertake to
29 perform architectural, professional engineering,
30 professional land surveying [and], professional landscape
31 architectural, **and licensed interior design** services only
32 when they are qualified by education, training, and
33 experience in the specific technical areas involved.

34 3. Notwithstanding any provision of this section, any
35 architect, professional engineer, professional land
36 surveyor, [or] professional landscape architect, **or licensed**
37 **interior designer** may, but is not required to, attach a
38 statement over his or her signature, authenticated by his or
39 her personal seal, specifying the particular technical
40 submissions, or portions thereof, intended to be
41 authenticated by the seal, and disclaiming any
42 responsibility for all other technical submissions relating
43 to or intended to be used for any part or parts of the
44 architectural or engineering project [or], survey [or],
45 landscape architectural project, **or interior alteration or**
46 **construction project, as such term is defined in section**
47 **327.700.**

48 4. Nothing in this section, or any rule or regulation
49 of the board shall require any professional to seal
50 preliminary or incomplete documents.

 327.442. 1. At such time as the final trial
2 proceedings are concluded whereby a licensee, or any person
3 who has failed to renew or has surrendered his or her
4 certificate of licensure or authority, has been **finally**
5 adjudicated and found guilty, or has entered a plea of
6 guilty or nolo contendere, in a **[felony] criminal**
7 prosecution pursuant to the laws of **[this] any state, [the**
8 **laws of any other state, territory, or the laws]** of the
9 United States **[of America], or of any country** for any
10 offense **[reasonably] directly** related to the
11 **[qualifications, functions, or] duties [of a licensee**
12 **pursuant to this chapter or any felony offense, an essential**
13 **element of which is fraud, dishonesty, or an act of**
14 **violence, or for any felony offense involving moral**
15 **turpitude,] and responsibilities of the occupation, as set**
16 **forth in section 324.012, regardless of** whether or not
17 sentence is imposed, the board for architects, professional
18 engineers, professional land surveyors **[and]**, professional
19 landscape architects, **and licensed interior designers** may
20 hold a disciplinary hearing to singly or in combination
21 censure or place the licensee named in the complaint on
22 probation on such terms and conditions as the board deems
23 appropriate for a period not to exceed five years, or may
24 suspend, for a period not to exceed three years, or revoke
25 the license or certificate.

26 2. Anyone who has been revoked or denied a license or
27 certificate to practice in another state may automatically
28 be denied a license or certificate to practice in this
29 state. However, the board for architects, professional

30 engineers, professional land surveyors [and], professional
31 landscape architects, **and licensed interior designers** may
32 establish other qualifications by which a person may
33 ultimately be qualified and licensed to practice in Missouri.

327.451. 1. Any person who believes that an architect
2 or a professional engineer or a professional land surveyor
3 or a professional landscape architect **or a licensed interior**
4 **designer** has acted or failed to act so that his or her
5 license or certificate of authority should, pursuant to the
6 provisions of this chapter, be suspended or revoked, or who
7 believes that any applicant for a license or certificate of
8 authority pursuant to the provisions of this chapter is not
9 entitled to a license or a certificate of authority, may
10 file a written affidavit with the executive director of the
11 board which the affiant shall sign and swear to and in which
12 the affiant shall clearly set forth the reasons for the
13 affiant's charge or charges that the license or certificate
14 **of authority** of an architect or professional engineer or
15 professional land surveyor or professional landscape
16 architect **or licensed interior designer** should be suspended
17 or revoked or not renewed or that a license or certificate
18 **of authority** should not be issued to an applicant.

19 2. If the affidavit so filed does not contain
20 statements of fact which if true would authorize, pursuant
21 to the provisions of this chapter, suspension or revocation
22 of the accused's license or certificate **of authority**, or
23 does not contain statements of fact which if true would
24 authorize, pursuant to the provisions of this chapter, the
25 refusal of the renewal of an existing license or certificate
26 **of authority** or the refusal of a license or certificate **of**
27 **authority** to an applicant, the board shall either dismiss
28 the charge or charges or, within its discretion, cause an

29 investigation to be made of the charges contained in the
30 affidavit, after which investigation the board shall either
31 dismiss the charge or charges or proceed against the accused
32 by written complaint as provided in subsection 3 of this
33 section.

34 3. If the affidavit contains statements of fact which
35 if true would authorize pursuant to the provisions of this
36 chapter the revocation or suspension of an accused's license
37 or certificate **of authority**, the board shall cause an
38 investigation to be made of the charge or charges contained
39 in the affidavit and unless the investigation discloses the
40 falsity of the facts upon which the charge or charges in the
41 affidavit are based, the board shall file with and in the
42 administrative hearing commission a written complaint
43 against the accused setting forth the cause or causes for
44 which the accused's license or certificate of authority
45 should be suspended or revoked. Thereafter, the board shall
46 be governed by and shall proceed in accordance with the
47 provisions of chapter 621.

48 4. If the charges contained in the affidavit filed
49 with the board would constitute a cause or causes for which
50 pursuant to the provisions of this chapter an accused's
51 license or certificate of authority should not be renewed or
52 a cause or causes for which pursuant to the provisions of
53 this chapter a certificate should not be issued, the board
54 shall cause an investigation to be made of the charge or
55 charges and unless the investigation discloses the falsity
56 of the facts upon which the charge or charges contained in
57 the affidavit are based, the board shall refuse to permit an
58 applicant to be examined upon the applicant's qualifications
59 for licensure or shall refuse to issue or renew a license or
60 certificate of authority, as the case may require.

61 5. The provisions of this section shall not be so
62 construed as to prevent the board on its own initiative from
63 instituting and conducting investigations and based thereon
64 to make written complaints in and to the administrative
65 hearing commission.

66 6. If for any reason the provisions of chapter 621
67 become inapplicable to the board, then, and in that event,
68 the board shall proceed to charge, adjudicate and otherwise
69 act in accordance with the provisions of chapter 536.

 [324.400.] **327.700.** As used in sections [324.400 to
2 324.439] **327.700 to 327.750**, the following terms mean:

3 (1) ["Council", the interior design council created in
4 section 324.406;

5 (2) "Division", the division of professional
6 registration;

7 (3) "Registered interior designer", a design
8 professional who provides services including preparation of
9 documents and specifications relative to nonload-bearing
10 interior construction, furniture, finishes, fixtures and
11 equipment and who meets the criteria of education,
12 experience and examination as provided in sections 324.400
13 to 324.439] **"Building equipment", any mechanical, plumbing,
14 electrical, or structural components, including a
15 conveyance, designed for or located in a building or
16 structure;**

17 (2) "Conveyance", an elevator, dumbwaiter, vertical
18 reciprocating conveyor, escalator, or other motorized
19 vertical transportation system;

20 (3) "Interior alteration or construction project", a
21 project, including construction, modification, renovation,
22 rehabilitation, or historic preservation, for an interior

23 space or area within a proposed or existing building or
24 structure that involves changing or altering:

25 (a) The design function or layout of a room; or

26 (b) The state of permanent fixtures or equipment;

27 (4) "Interior nonstructural element", an interior
28 design element that does not require structural bracing and
29 that is not load-bearing according to any applicable
30 building codes;

31 (5) "Interior technical submission", the designs,
32 drawings, and specifications that establish the scope of the
33 interior alteration or construction project, the standard of
34 quality for any materials, workmanship, equipment, and
35 construction systems of an interior alteration or
36 construction project, and the studies and other technical
37 reports and calculations prepared in the course of the
38 practice of licensed interior design;

39 (6) "Practice of licensed interior design", the design
40 of interior spaces as a part of an interior alteration or
41 construction project in conformity with public health,
42 safety, and welfare requirements, including the preparation
43 of documents relating to building code descriptions, project
44 egress plans that require no increase in the capacity of
45 exits in the space affected, space planning, and finish
46 materials, and the preparation of documents and interior
47 technical submissions relating to an interior alteration or
48 construction project. The term "practice of licensed
49 interior design":

50 (a) Shall include:

51 a. The programming, planning, pre-design analysis, and
52 conceptual design of any interior nonstructural elements
53 including, but not limited to, the selection of materials,
54 except for building equipment;

- 55 b. The alteration or construction of any interior
56 nonstructural elements and any interior technical
57 submissions related to such alteration or construction;
- 58 c. The preparation of a physical plan of space within
59 a proposed or existing building or structure, including:
60 (i) Determinations of circulation systems or patterns;
61 (ii) Determinations of the location of exit
62 requirements based on occupancy loads; and
63 (iii) Assessments and analyses of any interior safety
64 factors to comply with applicable building codes related to
65 interior nonstructural elements;
- 66 d. The rendering of designs, plans, drawings,
67 specifications, contract documents, or other interior
68 technical submissions; and
- 69 e. The administration of the construction of interior
70 nonstructural elements and contracts relating to interior
71 nonstructural elements in the interior alteration or
72 construction of a proposed or existing building or
73 structure; and
- 74 (b) Shall not include:
- 75 a. Services or work that constitute the practice of
76 architecture, as provided in section 327.091, except as
77 otherwise provided for in this chapter;
- 78 b. Services or work that constitute the practice of
79 professional engineering, as provided in section 327.181;
- 80 c. Services or work that constitute the practice of
81 professional land surveying, as provided in section 327.272;
- 82 d. Services or work that constitute the practice of
83 professional landscape architecture, as defined in section
84 327.600;

- 85 e. Altering or affecting the structural system and
86 seismic system of a building, including changing the
87 building's live or dead load on the structural system;
- 88 f. Changes to the building envelope, including
89 exterior walls, exterior wall coverings, exterior wall
90 openings, exterior windows or doors, architectural trim,
91 balconies and similar projections, bay or oriel windows,
92 roof assemblies and rooftop structures, and glass and
93 glazing for exterior use in both vertical, horizontal, and
94 sloped applications in buildings and structures;
- 95 g. Altering or affecting the mechanical, plumbing,
96 heating, air conditioning, ventilation, electrical, vertical
97 transportation, fire sprinkler, or fire alarm systems, and
98 any building elements, spaces, or areas that are for the
99 purpose of containing such systems;
- 100 h. Changes beyond the exit access component of a means
101 of egress system;
- 102 i. Construction that materially affects any life
103 safety systems pertaining to fire safety or fire protection
104 of structural elements, smoke evacuation and
105 compartmentalization systems, or fire-rated vertical shafts
106 in multi-story structures;
- 107 j. Changes to the existing use group for an occupancy;
- 108 k. Changes to the construction classification of the
109 building or structure according to any applicable building
110 codes;
- 111 l. Creating or modifying any atriums, floor openings,
112 community spaces, or vertical openings; or
- 113 m. Any person who renders services within the practice
114 of licensed interior design in connection with the
115 construction, remodeling, or repairing of any privately
116 owned building described in item (i), (ii), or (iii) of this

117 subparagraph, and who indicates on any drawings,
118 specifications, estimates, reports, or other documents
119 furnished in connection with the services within the
120 practice of licensed interior design that the person is not
121 a licensed interior designer:

122 (i) A dwelling house;

123 (ii) A multiple family dwelling house, flat, or
124 apartment containing not more than two families; or

125 (iii) Any one building or structure, except for those
126 buildings or structures used exclusively for agricultural
127 purposes, which provides for the employment, assembly,
128 housing, sleeping, or eating of not more than nine persons,
129 contains less than two thousand square feet, and is not part
130 of another building or structure.

[324.402.] 327.705. The state or any county,
2 municipality, or other political subdivision shall not
3 require the use of a [registered] licensed interior designer
4 for any residential building, residential remodeling,
5 residential rehabilitation, or residential construction
6 purposes.

[324.403.] 327.710. 1. No person may use the name or
2 title, [registered] licensed interior designer, in this
3 state unless that person is [registered] licensed as
4 required by sections [324.400 to 324.439] 327.700 to 327.750.

5 2. A licensed interior designer shall undertake to
6 perform services within the practice of licensed interior
7 design only when he or she is qualified by education,
8 training, and experience in the specific technical areas
9 involved.

10 3. Licensed interior designers shall be in responsible
11 charge of interior design technical submissions that can
12 affect the health, safety, and welfare of the public within

13 **their scope of practice. Licensed interior designers shall**
14 **not take responsible charge over interior technical**
15 **submissions prepared by another person unless the licensed**
16 **interior designer reviewing such interior technical**
17 **submissions actually exercises personal supervision and**
18 **direct control over the interior technical submissions.**

19 Nothing in [sections 324.400 to 324.439] **this chapter** shall
20 be construed as limiting or preventing the practice of a
21 person's **interior design** profession or restricting a person
22 from providing [interior design] services **within the**
23 **practice of licensed interior design**, provided such person
24 does not indicate to the public that such person is
25 [registered] **licensed** as an interior designer pursuant to
26 the provisions of sections [324.400 to 324.439] **327.700 to**
27 **327.750.**

28 **4. Nothing in this chapter shall be construed as in**
29 **any way precluding an architect from performing any of the**
30 **services included within the practice of licensed interior**
31 **design.**

[324.409.] **327.720.** 1. To be a [registered] **licensed**
2 interior designer, a person:

3 (1) Shall take and pass or have passed the examination
4 administered by the [National] Council for Interior Design
5 Qualification or an equivalent examination approved by the
6 [division] **board**. In addition to proof of passage of the
7 examination, the application shall provide substantial
8 evidence to the [division] **board** that the applicant:

9 (a) Is a graduate of a five-year or four-year
10 **accredited degree program from a school of** interior design
11 [program from an accredited institution] and has completed
12 at least two years of diversified and appropriate interior
13 design experience; or

14 (b) [Has completed at least three years of an interior
15 design curriculum from an accredited institution and has
16 completed at least three years of diversified and
17 appropriate interior design experience; or

18 (c) Is a graduate of a two-year **accredited degree**
19 **program from a school of** interior design [program from an
20 accredited institution] and has completed at least four
21 years of diversified and appropriate interior design
22 experience; or

23 (2) May qualify who is currently [registered] **licensed**
24 pursuant to sections 327.091 to 327.171, and section 327.401
25 pertaining to the practice of architecture [and registered
26 with the division. Such applicant shall give authorization
27 to the division in order to verify current registration with
28 sections 327.091 to 327.171 and section 327.401 pertaining
29 to the practice of architecture].

30 2. **An applicant whose curriculum or transcript has**
31 **been approved by the board shall be exempt from the**
32 **requirement to provide substantial evidence that the**
33 **applicant meets the requirements of paragraph (a) or (b) of**
34 **subdivision (1) of subsection 1 of this section.**

35 3. The [division] **board** shall verify if an applicant
36 has complied with the provisions of this section and has
37 paid the required fees, then the [division] **board** shall
38 recommend such applicant be [registered] **licensed** as a
39 [registered] **licensed** interior designer by the [division]
40 **board.**

[324.415.] **327.725.** Applications for [registration]
2 **licensure** as a [registered] **licensed** interior designer shall
3 be typewritten on forms prescribed by the [division] **board**
4 and furnished to the applicant. The application shall
5 contain the applicant's statements showing the applicant's

6 education, experience, results of previous interior design
7 certification, registration, or licensing examinations, if
8 any, and such other pertinent information as the [division]
9 **board** may require, or architect's **license or** registration
10 number and such other pertinent information as the
11 [division] **board** may require. Each application shall
12 contain a statement that is made under oath or affirmation
13 and that the representations are true and correct to the
14 best knowledge and belief of the person signing the
15 application. The person shall be subject to the penalties
16 for making a false affidavit or declaration and shall be
17 accompanied by the required fee.

[324.418.] **327.730.** 1. The [certificate of
2 registration] **license** issued biennially to a [registered]
3 **licensed** interior designer pursuant to sections [324.400 to
4 324.439] **327.700 to 327.750** shall be renewed on or before
5 the [certificate] **license** renewal date accompanied by the
6 required fee. The [certificate of registration] **license** of
7 a [registered] **licensed** interior designer which is not
8 renewed within three months after the [certificate] **license**
9 renewal date shall be suspended automatically, subject to
10 the right of the holder to have the suspended [certificate
11 of registration] **license** reinstated within nine months of
12 the date of suspension if the person pays the required
13 reinstatement fee. Any [certificate of registration]
14 **license** suspended and not reinstated within nine months of
15 the suspension date shall expire and be void and the holder
16 of such [certificate] **license** shall have no rights or
17 privileges provided to holders of valid [certificates]
18 **licenses**. Any person whose [certificate of registration]
19 **license** has expired may, upon demonstration of current
20 qualifications and payment of required fees, be

21 [reregistered] **relicensed** or reauthorized under the person's
22 original [certificate of registration] **license** number.

23 2. Each application for the renewal or reinstatement
24 of a [registration] **license** shall be on a form furnished to
25 the applicant and shall be accompanied by the required fees
26 [and proof of current completion of at least one unit every
27 two years of approved or verifiable continuing education in
28 interior design or architecture, immediately prior to such
29 renewal or reinstatement. Ten contact hours constitutes one
30 continuing education unit. Five contact hours of teaching
31 in interior design or architecture constitutes one
32 continuing education unit. One college course credit in
33 interior design or architecture constitutes one continuing
34 education unit].

35 3. The board shall establish, by rule, continuing
36 education requirements as a condition to renewing or
37 reinstating the license of an interior designer that are
38 substantially equivalent to the continuing education
39 requirements for architects.

[324.427.] 327.735. It is unlawful for any person to
2 advertise or indicate to the public that the person is a
3 [registered] **licensed** interior designer in this state,
4 unless such person is [registered] **licensed** as a
5 [registered] **licensed** interior designer by the [division]
6 **board** and is in good standing pursuant to sections [324.400
7 to 324.439] 327.700 to 327.750.

[324.430.] 327.740. No person may use the designation
2 [registered] **licensed** interior designer in Missouri, unless
3 the [division] **board** has issued a current [certificate of
4 registration] **license** certifying that the person has been
5 duly [registered] **licensed** as a [registered] **licensed**
6 interior designer in Missouri and unless such [registration]

7 **license** has been renewed or reinstated as provided in
8 section [324.418] **327.730**.

[324.433.] **327.745**. The right to use the title of
2 [registered] **licensed** interior designer shall be deemed a
3 personal right, based upon the qualifications of the
4 individual, evidenced by the person's current [certificate
5 of registration] **license** and such [certificate] **license** is
6 not transferable; except that, a [registered] **licensed**
7 interior designer may perform the [interior designer's
8 profession] **practice of licensed interior design** through, or
9 as a member of, or as an employee of, a partnership or
10 corporation.

[324.439.] **327.750**. [After twenty-four months after
2 August 28, 1998,] Any person who violates any provision of
3 sections [324.400 to 324.439] **327.700 to 327.750** shall be
4 guilty of a class A misdemeanor.

**331.084. 1. The board may apply to the administrative
2 hearing commission for an emergency suspension or
3 restriction of a license issued under this chapter if:**

4 (1) The holder of the license is the subject of a
5 pending criminal indictment, criminal information, or other
6 criminal charge related to the duties and responsibilities
7 of the licensed occupation; and

8 (2) There is reasonable cause for the board to believe
9 that the public health, safety, or welfare is at imminent
10 risk of harm from the holder of the license.

11 2. The board shall submit to the administrative
12 hearing commission supporting affidavits and certified court
13 records, together with a complaint alleging the facts in
14 support of the board's request for an emergency suspension
15 or restriction of a license, and shall supply the
16 administrative hearing commission with the last home or

17 business addresses on file with the board for the licensee.
18 Within one business day of the filing of the complaint, the
19 administrative hearing commission shall return a service
20 packet to the board. The service packet shall include the
21 board's complaint and any affidavits or records the board
22 intends to rely on that have been filed with the
23 administrative hearing commission. The service packet may
24 contain other information in the discretion of the
25 administrative hearing commission. Within twenty-four hours
26 of receiving the packet, the board shall either personally
27 serve the licensee the service packet or leave a copy of the
28 service packet at all of the licensee's current addresses on
29 file with the board.

30 3. Within five days of the board's filing of the
31 complaint, the administrative hearing commission shall
32 review the information submitted by the board and shall
33 issue its findings of fact and conclusions of law. If the
34 administrative hearing commission finds that there is
35 reasonable cause for the board to believe that the public
36 health, safety, or welfare is at imminent risk of harm from
37 the holder of the license, the administrative hearing
38 commission shall enter the order requested by the board.
39 The order shall be effective upon personal service or by
40 leaving a copy at all of the licensee's current addresses on
41 file with the board.

42 4. (1) The administrative hearing commission shall
43 hold an evidentiary hearing on the record within forty-five
44 days of the board's filing of the complaint, or upon final
45 adjudication of any criminal charges filed against the
46 licensee, as appropriate, to determine if cause for
47 discipline exists under the provisions of this chapter and
48 to determine whether the initial order entered by the

49 commission shall continue in effect. Prior to the hearing,
50 the licensee may file affidavits and certified court records
51 for consideration by the administrative hearing commission.
52 The administrative hearing commission may grant a request
53 for a continuance but shall in any event hold the hearing
54 within one hundred twenty days of the board's initial
55 filing. The board shall be granted leave to amend its
56 complaint if it is more than thirty days prior to the
57 hearing, or within thirty days prior to the hearing upon a
58 showing of good cause.

59 (2) If no cause for discipline is found following an
60 evidentiary hearing, the administrative hearing commission
61 shall issue findings of fact, conclusions of law, and an
62 order terminating the commission's initial order imposing an
63 emergency suspension or restriction of the license.

64 (3) If the administrative hearing commission finds
65 cause for discipline following an evidentiary hearing, the
66 commission shall issue findings of fact and conclusions of
67 law and order the emergency suspension or restriction to
68 remain in full force and effect pending a disciplinary
69 hearing before the board. The board shall hold a hearing
70 following the certification of the record by the
71 administrative hearing commission and may impose discipline
72 otherwise authorized by state law.

73 5. Any action under this section shall be in addition
74 to and not in lieu of any discipline otherwise in the
75 board's power to impose and may be brought concurrently with
76 other actions.

77 6. If the administrative hearing commission does not
78 grant an initial order imposing an emergency suspension or
79 restriction of the license as described in subsection 3 of

80 **this section, the board shall remove all reference to such**
81 **emergency suspension or restriction from its public records.**

332.081. 1. Notwithstanding any other provision of
2 law to the contrary, hospitals licensed under chapter 197
3 shall be authorized to employ any or all of the following
4 oral health providers:

5 (1) A dentist licensed under this chapter for the
6 purpose of treating on hospital premises those patients who
7 present with a dental condition and such treatment is
8 necessary to ameliorate the condition for which they
9 presented such as severe pain or tooth abscesses;

10 (2) An oral and maxillofacial surgeon licensed under
11 this chapter for the purpose of treating oral conditions
12 that need to be ameliorated as part of treating the
13 underlying cause of the patient's medical needs including,
14 but not limited to, head and neck cancer, HIV or AIDS,
15 severe trauma resulting in admission to the hospital, organ
16 transplant, diabetes, or seizure disorders. It shall be a
17 condition of treatment that such patients are admitted to
18 the hospital on either an in- or out-patient basis; and

19 (3) A maxillofacial prosthodontist licensed under this
20 chapter for the purpose of treating and supporting patients
21 of a head and neck cancer team or other complex care or
22 surgical team for the fabrication of appliances following
23 ablative surgery, surgery to correct birth anomalies,
24 extensive radiation treatment of the head or neck, or trauma-
25 related surgery.

26 2. No person or other entity shall practice dentistry
27 in Missouri or provide dental services as **[defined]**
28 **described** in section 332.071 unless and until the board has
29 issued to the person a certificate certifying that the
30 person has been duly registered as a dentist in Missouri or

31 the board has issued such certificate to an entity that has
32 been duly registered to provide dental services by licensed
33 dentists and dental hygienists and unless and until the
34 board has issued to the person a license, to be renewed each
35 period, as provided in this chapter, to practice dentistry
36 or as a dental hygienist, or has issued to the person or
37 entity a permit, to be renewed each period, to provide
38 dental services in Missouri. Nothing in this chapter shall
39 be so construed as to make it unlawful for:

40 (1) A legally qualified physician or surgeon, who does
41 not practice dentistry as a specialty, from extracting teeth;

42 (2) A dentist licensed in a state other than Missouri
43 from making a clinical demonstration before a meeting of
44 dentists in Missouri;

45 (3) Dental students in any accredited dental school to
46 practice dentistry under the personal direction of
47 instructors;

48 (4) Dental hygiene students in any accredited dental
49 hygiene school to practice dental hygiene under the personal
50 direction of instructors;

51 (5) A duly registered and licensed dental hygienist in
52 Missouri to practice dental hygiene as defined in section
53 332.091;

54 (6) A dental assistant, certified dental assistant, or
55 expanded functions dental assistant to be delegated duties
56 as defined in section 332.093;

57 (7) A duly registered dentist or dental hygienist to
58 teach in an accredited dental or dental hygiene school;

59 (8) A person who has been granted a dental faculty
60 permit under section 332.183 to practice dentistry in the
61 scope of his or her employment at an accredited dental
62 school, college, or program in Missouri;

63 (9) A duly qualified anesthesiologist or nurse
64 anesthetist to administer an anesthetic in connection with
65 dental services or dental surgery;

66 (10) A person to practice dentistry in or for:
67 (a) The United States Armed Forces;
68 (b) The United States Public Health Service;
69 (c) Migrant, community, or health care for the
70 homeless health centers provided in Section 330 of the
71 Public Health Service Act (42 U.S.C. Section 254b);
72 (d) Federally qualified health centers as defined in
73 Section 1905(1) (42 U.S.C. Section 1396d(1)) of the Social
74 Security Act;
75 (e) Governmental entities, including county health
76 departments; or
77 (f) The United States Veterans Bureau; or
78 (11) A dentist licensed in a state other than Missouri
79 to evaluate a patient or render an oral, written, or
80 otherwise documented dental opinion when providing testimony
81 or records for the purpose of a civil or criminal action
82 before any judicial or administrative proceeding of this
83 state or other forum in this state.

84 3. No corporation shall practice dentistry as defined
85 in section 332.071 unless that corporation is organized
86 under the provisions of chapter 355 or 356 provided that a
87 corporation organized under the provisions of chapter 355
88 and qualifying as an organization under 26 U.S.C. Section
89 501(c) (3) may only employ dentists and dental hygienists
90 licensed in this state to render dental services to Medicaid
91 recipients, low-income individuals who have available income
92 below two hundred percent of the federal poverty level, and
93 all participants in the SCHIP program, unless such

94 limitation is contrary to or inconsistent with federal or
95 state law or regulation. This subsection shall not apply to:

96 (1) A hospital licensed under chapter 197 that
97 provides care and treatment only to children under the age
98 of eighteen at which a person regulated under this chapter
99 provides dental care within the scope of his or her license
100 or registration;

101 (2) A federally qualified health center as defined in
102 Section 1905(1) of the Social Security Act (42 U.S.C.
103 Section 1396d(1)), or a migrant, community, or health care
104 for the homeless health center provided for in Section 330
105 of the Public Health Services Act (42 U.S.C. Section 254b)
106 at which a person regulated under this chapter provides
107 dental care within the scope of his or her license or
108 registration;

109 (3) A city or county health department organized under
110 chapter 192 or chapter 205 at which a person regulated under
111 this chapter provides dental care within the scope of his or
112 her license or registration;

113 (4) A social welfare board organized under section
114 205.770, a city health department operating under a city
115 charter, or a city-county health department at which a
116 person regulated under this chapter provides dental care
117 within the scope of his or her license or registration;

118 (5) Any entity that has received a permit from the
119 dental board and does not receive compensation from the
120 patient or from any third party on the patient's behalf at
121 which a person regulated under this chapter provides dental
122 care within the scope of his or her license or registration;

123 **or**

124 (6) Any hospital nonprofit corporation exempt from
125 taxation under Section 501(c)(3) of the Internal Revenue

126 Code, as amended, that engages in its operations and
127 provides dental services at facilities owned by a city,
128 county, or other political subdivision of the state, **or any**
129 **entity contracted with the state to provide care in a**
130 **correctional center, as such term is defined in section**
131 **217.010**, at which a person regulated under this chapter
132 provides dental care within the scope of his or her license
133 or registration.

134 If any of the entities exempted from the requirements of
135 this subsection are unable to provide services to a patient
136 due to the lack of a qualified provider and a referral to
137 another entity is made, the exemption shall extend to the
138 person or entity that subsequently provides services to the
139 patient.

140 4. No unincorporated organization shall practice
141 dentistry as defined in section 332.071 unless such
142 organization is exempt from federal taxation under Section
143 501(c)(3) of the Internal Revenue Code of 1986, as amended,
144 and provides dental treatment without compensation from the
145 patient or any third party on their behalf as a part of a
146 broader program of social services including food
147 distribution. Nothing in this chapter shall prohibit
148 organizations under this subsection from employing any
149 person regulated by this chapter.

150 5. A dentist shall not enter into a contract that
151 allows a person who is not a dentist to influence or
152 interfere with the exercise of the dentist's independent
153 professional judgment.

154 6. A not-for-profit corporation organized under the
155 provisions of chapter 355 and qualifying as an organization
156 under 26 U.S.C. Section 501(c)(3), an unincorporated

157 organization operating pursuant to subsection 4 of this
158 section, or any other person should not direct or interfere
159 or attempt to direct or interfere with a licensed dentist's
160 professional judgment and competent practice of dentistry.
161 Nothing in this subsection shall be so construed as to make
162 it unlawful for not-for-profit organizations to enforce
163 employment contracts, corporate policy and procedure
164 manuals, or quality improvement or assurance requirements.

165 7. All entities defined in subsection 3 of this
166 section and those exempted under subsection 4 of this
167 section shall apply for a permit to employ dentists and
168 dental hygienists licensed in this state to render dental
169 services, and the entity shall apply for the permit in
170 writing on forms provided by the Missouri dental board. The
171 board shall not charge a fee of any kind for the issuance or
172 renewal of such permit. The provisions of this subsection
173 shall not apply to a federally qualified health center as
174 defined in Section 1905(1) of the Social Security Act (42
175 U.S.C. Section 1396d(1)).

176 8. Any entity that obtains a permit to render dental
177 services in this state is subject to discipline pursuant to
178 section 332.321. If the board concludes that the person or
179 entity has committed an act or is engaging in a course of
180 conduct that would be grounds for disciplinary action, the
181 board may file a complaint before the administrative hearing
182 commission. The board may refuse to issue or renew the
183 permit of any entity for one or any combination of causes
184 stated in subsection 2 of section 332.321. The board shall
185 notify the applicant in writing of the reasons for the
186 refusal and shall advise the applicant of his or her right
187 to file a complaint with the administrative hearing
188 commission as provided by chapter 621.

189 9. A federally qualified health center as defined in
190 Section 1905(1) of the Social Security Act (42 U.S.C.
191 Section 1396d(1)) shall register with the board. The
192 information provided to the board as part of the
193 registration shall include the name of the health center,
194 the nonprofit status of the health center, sites where
195 dental services will be provided, and the names of all
196 persons employed by, or contracting with, the health center
197 who are required to hold a license pursuant to this
198 chapter. The registration shall be renewed every twenty-
199 four months. The board shall not charge a fee of any kind
200 for the issuance or renewal of the registration. The
201 registration of the health center shall not be subject to
202 discipline pursuant to section 332.321. Nothing in this
203 subsection shall prohibit disciplinary action against a
204 licensee of this chapter who is employed by, or contracts
205 with, such health center for the actions of the licensee in
206 connection with such employment or contract.

207 10. The board may promulgate rules and regulations to
208 ensure not-for-profit corporations are rendering care to the
209 patient populations as set forth herein, including
210 requirements for covered not-for-profit corporations to
211 report patient census data to the board. The provisions of
212 this subsection shall not apply to a federally qualified
213 health center as defined in Section 1905(1) of the Social
214 Security Act (42 U.S.C. Section 1396d(1)).

215 11. All not-for-profit corporations organized or
216 operated pursuant to the provisions of chapter 355 and
217 qualifying as an organization under 26 U.S.C. Section
218 501(c)(3), or the requirements relating to migrant,
219 community, or health care for the homeless health centers
220 provided in Section 330 of the Public Health Service Act (42

221 U.S.C. Section 254b) and federally qualified health centers
222 as defined in Section 1905(1) (42 U.S.C. Section 1396d(1))
223 of the Social Security Act, that employ persons who practice
224 dentistry or dental hygiene in this state shall do so in
225 accordance with the relevant laws of this state except to
226 the extent that such laws are contrary to, or inconsistent
227 with, federal statute or regulation.

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
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.

335.081. So long as the person involved does not
2 represent or hold himself or herself out as a nurse licensed
3 to practice in this state, no provision of sections 335.011
4 to 335.096 shall be construed as prohibiting:

5 (1) The practice of any profession for which a license
6 is required and issued pursuant to the laws of this state by
7 a person duly licensed to practice that profession;

8 (2) The services rendered by technicians, nurses'
9 aides or their equivalent trained and employed in public or
10 private hospitals and licensed long-term care facilities
11 except the services rendered in licensed long-term care
12 facilities shall be limited to administering medication,
13 excluding **the administration of medications by an injectable**
14 **route** other than:

15 (a) Insulin; and

16 (b) **Subcutaneous injectable medications, provided that**
17 **any such medication was prescribed by the physician for the**
18 **long-term care facility resident who receives the medication;**

19 (3) The providing of nursing care by friends or
20 members of the family of the person receiving such care;

21 (4) The incidental care of the sick, aged, or infirm
22 by domestic servants or persons primarily employed as
23 housekeepers;

24 (5) The furnishing of nursing assistance in the case
25 of an emergency situation;

26 (6) The practice of nursing under proper supervision:

27 (a) As a part of the course of study by students
28 enrolled in approved schools of professional nursing or in
29 schools of practical nursing;

30 (b) By graduates of accredited nursing programs
31 pending the results of the first licensing examination or
32 ninety days after graduation, whichever first occurs;

33 (c) A graduate nurse who is prevented from attending
34 the first licensing examination following graduation by
35 reason of active duty in the military may practice as a
36 graduate nurse pending the results of the first licensing

37 examination scheduled by the board following the release of
38 such graduate nurse from active military duty or pending the
39 results of the first licensing examination taken by the
40 graduate nurse while involved in active military service
41 whichever comes first;

42 (7) The practice of nursing in this state by any
43 legally qualified nurse duly licensed to practice in another
44 state whose engagement requires such nurse to accompany and
45 care for a patient temporarily residing in this state for a
46 period not to exceed six months;

47 (8) The practice of any legally qualified nurse who is
48 employed by the government of the United States or any
49 bureau, division or agency thereof, while in the discharge
50 of his or her official duties or to the practice of any
51 legally qualified nurse serving in the Armed Forces of the
52 United States while stationed within this state;

53 (9) Nonmedical nursing care of the sick with or
54 without compensation when done in connection with the
55 practice of the religious tenets of any church by adherents
56 thereof, as long as they do not engage in the practice of
57 nursing as defined in sections 335.011 to 335.096;

58 (10) The practice of any legally qualified and
59 licensed nurse of another state, territory, or foreign
60 country whose responsibilities include transporting patients
61 into, out of, or through this state while actively engaged
62 in patient transport that does not exceed forty-eight hours
63 in this state.

337.600. As used in sections 337.600 to 337.689, the
2 following terms mean:

3 (1) "Advanced macro social worker", the applications
4 of social work theory, knowledge, methods, principles,
5 values, and ethics; and the professional use of self to

6 community and organizational systems, systemic and macrocosm
7 issues, and other indirect nonclinical services; specialized
8 knowledge and advanced practice skills in case management,
9 information and referral, nonclinical assessments,
10 counseling, outcome evaluation, mediation, nonclinical
11 supervision, nonclinical consultation, expert testimony,
12 education, outcome evaluation, research, advocacy, social
13 planning and policy development, community organization, and
14 the development, implementation and administration of
15 policies, programs, and activities. A licensed advanced
16 macro social worker may not treat mental or emotional
17 disorders or provide psychotherapy without the direct
18 supervision of a licensed clinical social worker, or
19 diagnose a mental disorder;

20 (2) "Clinical social work", the application of social
21 work theory, knowledge, values, methods, principles, and
22 techniques of case work, group work, client-centered
23 advocacy, community organization, administration, planning,
24 evaluation, consultation, research, psychotherapy and
25 counseling methods and techniques to persons, families and
26 groups in assessment, diagnosis, treatment, prevention and
27 amelioration of mental and emotional conditions;

28 (3) "Committee", the state committee for social
29 workers established in section 337.622;

30 (4) "Department", the Missouri department of commerce
31 and insurance;

32 (5) "Director", the director of the division of
33 professional registration;

34 (6) "Division", the division of professional
35 registration;

36 (7) "Independent practice", any practice of social
37 workers outside of an organized setting such as a social,

38 medical, or governmental agency in which a social worker
39 assumes responsibility and accountability for services
40 required;

41 (8) "Licensed advanced macro social worker", any
42 person who offers to render services to individuals, groups,
43 families, couples, organizations, institutions, communities,
44 government agencies, corporations, or the general public for
45 a fee, monetary or otherwise, implying that the person is
46 trained, experienced, and licensed as an advanced macro
47 social worker, and who holds a current valid license to
48 practice as an advanced macro social worker;

49 (9) "Licensed baccalaureate social worker", any person
50 who offers to render services to individuals, groups,
51 organizations, institutions, corporations, government
52 agencies, or the general public for a fee, monetary or
53 otherwise, implying that the person is trained, experienced,
54 and licensed as a baccalaureate social worker, and who holds
55 a current valid license to practice as a baccalaureate
56 social worker;

57 (10) "Licensed clinical social worker", any person who
58 offers to render services to individuals, groups,
59 organizations, institutions, corporations, government
60 agencies, or the general public for a fee, monetary or
61 otherwise, implying that the person is trained, experienced,
62 and licensed as a clinical social worker, and who holds a
63 current, valid license to practice as a clinical social
64 worker;

65 (11) "Licensed master social worker", any person who
66 offers to render services to individuals, groups, families,
67 couples, organizations, institutions, communities,
68 government agencies, corporations, or the general public for
69 a fee, monetary or otherwise, implying that the person is

70 trained, experienced, and licensed as a master social
71 worker, and who holds a current valid license to practice as
72 a master social worker. A licensed master social worker may
73 not treat mental or emotional disorders, provide
74 psychotherapy without the direct supervision of a licensed
75 clinical social worker, or diagnose a mental disorder;

76 (12) "Master social work", the application of social
77 work theory, knowledge, methods, and ethics and the
78 professional use of self to restore or enhance social,
79 psychosocial, or biopsychosocial functioning of individuals,
80 couples, families, groups, organizations, communities,
81 institutions, government agencies, or corporations. The
82 practice includes the applications of specialized knowledge
83 and advanced practice skills in the areas of assessment,
84 treatment planning, implementation and evaluation, case
85 management, mediation, information and referral, counseling,
86 client education, supervision, consultation, education,
87 research, advocacy, community organization and development,
88 planning, evaluation, implementation and administration of
89 policies, programs, and activities. Under supervision as
90 provided in this section, the practice of master social work
91 may include the practices reserved to clinical social
92 workers or advanced macro social workers for no more than
93 forty-eight consecutive calendar months for the purpose of
94 obtaining licensure under section 337.615 or 337.645;

95 (13) "Practice of advanced macro social work",
96 rendering, offering to render, or supervising those who
97 render to individuals, couples, families, groups,
98 organizations, institutions, corporations, government
99 agencies, communities, or the general public any service
100 involving the application of methods, principles, and
101 techniques of advanced practice macro social work;

102 (14) "Practice of baccalaureate social work",
103 rendering, offering to render, or supervising those who
104 render to individuals, families, groups, organizations,
105 institutions, corporations, or the general public any
106 service involving the application of methods, principles,
107 and techniques of baccalaureate social work;

108 (15) "Practice of clinical social work", rendering,
109 offering to render, or supervising those who render to
110 individuals, couples, groups, organizations, institutions,
111 corporations, or the general public any service involving
112 the application of methods, principles, and techniques of
113 clinical social work;

114 (16) "Practice of master social work", rendering,
115 offering to render, or supervising those who render to
116 individuals, couples, families, groups, organizations,
117 institutions, corporations, government agencies,
118 communities, or the general public any service involving the
119 application of methods, principles, and techniques of master
120 social work;

121 (17) "Qualified advanced macro supervisor", any
122 licensed social worker who meets the qualifications of a
123 qualified clinical supervisor or a licensed advanced macro
124 social worker who has:

125 (a) Practiced in the field of social work as a
126 licensed social worker for which he or she is supervising
127 the applicant for a minimum of **[five] three** years;

128 (b) Successfully completed a minimum of sixteen hours
129 of supervisory training from the Association of Social Work
130 Boards, the National Association of Social Workers, an
131 accredited university, or a program approved by the state
132 committee for social workers. All organizations providing
133 the supervisory training shall adhere to the basic content

134 and quality standards outlined by the state committee on
135 social work; and

136 (c) Met all the requirements of sections 337.600 to
137 337.689, and as defined by rule by the state committee for
138 social workers;

139 (18) "Qualified baccalaureate supervisor", any
140 licensed social worker who meets the qualifications of a
141 qualified clinical supervisor, qualified master supervisor,
142 qualified advanced macro supervisor, or a licensed
143 baccalaureate social worker who has:

144 (a) Practiced in the field of social work as a
145 licensed social worker for which he or she is supervising
146 the applicant for a minimum of **[five] three** years;

147 (b) Successfully completed a minimum of sixteen hours
148 of supervisory training from the Association of Social Work
149 Boards, the National Association of Social Workers, an
150 accredited university, or a program approved by the state
151 committee for social workers. All organizations providing
152 the supervisory training shall adhere to the basic content
153 and quality standards outlined by the state committee on
154 social workers; and

155 (c) Met all the requirements of sections 337.600 to
156 337.689, and as defined by rule by the state committee for
157 social workers;

158 (19) "Qualified clinical supervisor", any licensed
159 clinical social worker who has:

160 (a) Practiced in the field of social work as a
161 licensed social worker for which he or she is supervising
162 the applicant for a minimum of **[five] three** years;

163 (b) Successfully completed a minimum of sixteen hours
164 of supervisory training from the Association of Social Work
165 Boards, the National Association of Social Workers, an

166 accredited university, or a program approved by the state
167 committee for social workers. All organizations providing
168 the supervisory training shall adhere to the basic content
169 and quality standards outlined by the state committee on
170 social work; and

171 (c) Met all the requirements of sections 337.600 to
172 337.689, and as defined by rule by the state committee for
173 social workers;

174 (20) "Social worker", any individual that has:

175 (a) Received a baccalaureate degree in social work
176 from an accredited social work program approved by the
177 Council on Social Work Education;

178 (b) Received a master's degree in social work from a
179 social work program:

180 a. Accredited by the Council on Social Work Education;

181 or

182 b. Recognized and approved by the committee in
183 accordance with rules adopted by the committee under section
184 337.627 and in accordance with the procedure set forth in
185 section 337.628;

186 (c) Received a doctorate or Ph.D. in social work; or

187 (d) A current social worker license as set forth in
188 sections 337.600 to 337.689.

338.010. 1. The "practice of pharmacy" includes:

2 (1) The interpretation, implementation, and evaluation
3 of medical prescription orders, including any legend drugs
4 under 21 U.S.C. Section 353, and the receipt, transmission,
5 or handling of such orders or facilitating the dispensing of
6 such orders;

7 (2) The designing, initiating, implementing, and
8 monitoring of a medication therapeutic plan in accordance
9 with the provisions of this section;

10 (3) The compounding, dispensing, labeling, and
11 administration of drugs and devices pursuant to medical
12 prescription orders;

13 (4) The ordering and administration of vaccines
14 approved or authorized by the U.S. Food and Drug
15 Administration, **as of January 1, 2026, or thereafter,**
16 excluding vaccines for cholera, monkeypox, Japanese
17 encephalitis, typhoid, rabies, yellow fever, tick-borne
18 encephalitis, anthrax, tuberculosis, dengue, Hib, polio,
19 rotavirus, smallpox, [and] **or any vaccine [approved after**
20 **January 1, 2023]** **that is not jointly included by joint rules**
21 **promulgated by the board of pharmacy and the state board of**
22 **registration for the healing arts for vaccines approved by**
23 **the Federal Drug Administration after January 1, 2026,** to
24 persons at least seven years of age or the age recommended
25 by the Centers for Disease Control and Prevention, whichever
26 is older, pursuant to joint promulgation of rules
27 established by the board of pharmacy and the state board of
28 registration for the healing arts unless rules are
29 established under a state of emergency as described in
30 section 44.100;

31 (5) The participation in drug selection according to
32 state law and participation in drug utilization reviews;

33 (6) The proper and safe storage of drugs and devices
34 and the maintenance of proper records thereof;

35 (7) Consultation with patients and other health care
36 practitioners, and veterinarians and their clients about
37 legend drugs, about the safe and effective use of drugs and
38 devices;

39 (8) The prescribing and dispensing of any nicotine
40 replacement therapy product under section 338.665;

41 (9) The dispensing of HIV postexposure prophylaxis
42 pursuant to section 338.730; and

43 (10) The offering or performing of those acts,
44 services, operations, or transactions necessary in the
45 conduct, operation, management and control of a pharmacy.

46 2. No person shall engage in the practice of pharmacy
47 unless he or she is licensed under the provisions of this
48 chapter.

49 3. This chapter shall not be construed to prohibit the
50 use of auxiliary personnel under the direct supervision of a
51 pharmacist from assisting the pharmacist in any of his or
52 her duties. This assistance in no way is intended to
53 relieve the pharmacist from his or her responsibilities for
54 compliance with this chapter and he or she will be
55 responsible for the actions of the auxiliary personnel
56 acting in his or her assistance.

57 4. This chapter shall not be construed to prohibit or
58 interfere with any legally registered practitioner of
59 medicine, dentistry, or podiatry, or veterinary medicine
60 only for use in animals, or the practice of optometry in
61 accordance with and as provided in sections 195.070 and
62 336.220 in the compounding, administering, prescribing, or
63 dispensing of his or her own prescriptions.

64 5. A pharmacist with a certificate of medication
65 therapeutic plan authority may provide medication therapy
66 services pursuant to a written protocol from a physician
67 licensed under chapter 334 to patients who have established
68 a physician-patient relationship, as described in
69 subdivision (1) of subsection 1 of section 191.1146, with
70 the protocol physician. The written protocol authorized by
71 this section shall come only from the physician and shall
72 not come from a nurse engaged in a collaborative practice

73 arrangement under section 334.104, or from a physician
74 assistant engaged in a collaborative practice arrangement
75 under section 334.735.

76 6. Nothing in this section shall be construed as to
77 prevent any person, firm or corporation from owning a
78 pharmacy regulated by sections 338.210 to 338.315, provided
79 that a licensed pharmacist is in charge of such pharmacy.

80 7. Nothing in this section shall be construed to apply
81 to or interfere with the sale of nonprescription drugs and
82 the ordinary household remedies and such drugs or medicines
83 as are normally sold by those engaged in the sale of general
84 merchandise.

85 8. No health carrier as defined in chapter 376 shall
86 require any physician with which they contract to enter into
87 a written protocol with a pharmacist for medication
88 therapeutic services.

89 9. This section shall not be construed to allow a
90 pharmacist to diagnose or independently prescribe
91 pharmaceuticals.

92 10. The state board of registration for the healing
93 arts, under section 334.125, and the state board of
94 pharmacy, under section 338.140, shall jointly promulgate
95 rules regulating the use of protocols for medication therapy
96 services. Such rules shall require protocols to include
97 provisions allowing for timely communication between the
98 pharmacist and the protocol physician or similar body
99 authorized by this section, and any other patient protection
100 provisions deemed appropriate by both boards. In order to
101 take effect, such rules shall be approved by a majority vote
102 of a quorum of each board. Neither board shall separately
103 promulgate rules regulating the use of protocols for
104 medication therapy services. Any rule or portion of a rule,

105 as that term is defined in section 536.010, that is created
106 under the authority delegated in this section shall become
107 effective only if it complies with and is subject to all of
108 the provisions of chapter 536 and, if applicable, section
109 536.028. This section and chapter 536 are nonseverable and
110 if any of the powers vested with the general assembly
111 pursuant to chapter 536 to review, to delay the effective
112 date, or to disapprove and annul a rule are subsequently
113 held unconstitutional, then the grant of rulemaking
114 authority and any rule proposed or adopted after August 28,
115 2007, shall be invalid and void.

116 11. The state board of pharmacy may grant a
117 certificate of medication therapeutic plan authority to a
118 licensed pharmacist who submits proof of successful
119 completion of a board-approved course of academic clinical
120 study beyond a bachelor of science in pharmacy, including
121 but not limited to clinical assessment skills, from a
122 nationally accredited college or university, or a
123 certification of equivalence issued by a nationally
124 recognized professional organization and approved by the
125 board of pharmacy.

126 12. Any pharmacist who has received a certificate of
127 medication therapeutic plan authority may engage in the
128 designing, initiating, implementing, and monitoring of a
129 medication therapeutic plan as defined by a written protocol
130 from a physician that may be specific to each patient for
131 care by a pharmacist.

132 13. Nothing in this section shall be construed to
133 allow a pharmacist to make a therapeutic substitution of a
134 pharmaceutical prescribed by a physician unless authorized
135 by the written protocol or the physician's prescription
136 order.

137 14. "Veterinarian", "doctor of veterinary medicine",
138 "practitioner of veterinary medicine", "DVM", "VMD", "BVSe",
139 "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an
140 equivalent title means a person who has received a doctor's
141 degree in veterinary medicine from an accredited school of
142 veterinary medicine or holds an Educational Commission for
143 Foreign Veterinary Graduates (EDFVG) certificate issued by
144 the American Veterinary Medical Association (AVMA).

145 15. In addition to other requirements established by
146 the joint promulgation of rules by the board of pharmacy and
147 the state board of registration for the healing arts:

148 (1) A pharmacist shall administer vaccines by protocol
149 in accordance with treatment guidelines established by the
150 Centers for Disease Control and Prevention (CDC);

151 (2) A pharmacist who is administering a vaccine shall
152 request a patient to remain in the pharmacy a safe amount of
153 time after administering the vaccine to observe any adverse
154 reactions. Such pharmacist shall have adopted emergency
155 treatment protocols.

156 16. In addition to other requirements by the board, a
157 pharmacist shall receive additional training as required by
158 the board and evidenced by receiving a certificate from the
159 board upon completion, and shall display the certification
160 in his or her pharmacy where vaccines are delivered.

161 17. A pharmacist shall inform the patient that the
162 administration of a vaccine will be entered into the
163 ShowMeVax system, as administered by the department of
164 health and senior services. The patient shall attest to the
165 inclusion of such information in the system by signing a
166 form provided by the pharmacist. If the patient indicates
167 that he or she does not want such information entered into
168 the ShowMeVax system, the pharmacist shall provide a written

169 report within fourteen days of administration of a vaccine
170 to the patient's health care provider, if provided by the
171 patient, containing:

172 (1) The identity of the patient;

173 (2) The identity of the vaccine or vaccines
174 administered;

175 (3) The route of administration;

176 (4) The anatomic site of the administration;

177 (5) The dose administered; and

178 (6) The date of administration.

179 18. A pharmacist licensed under this chapter may order
180 and administer vaccines approved or authorized by the U.S.
181 Food and Drug Administration to address a public health
182 need, as lawfully authorized by the state or federal
183 government, or a department or agency thereof, during a
184 state or federally declared public health emergency.

**338.312. 1. As used in this section, unless the
2 context requires otherwise, the following terms mean:**

3 (1) "Declared state disaster or emergency", a disaster
4 or emergency event for which a governor's state of emergency
5 proclamation has been issued or that the President of the
6 United States has declared to be a major disaster or
7 emergency;

8 (2) "Disaster period", the period of time that begins
9 ten days before a governor's proclamation of a state of
10 emergency or the declaration by the President of the United
11 States of a major disaster or emergency, whichever occurs
12 first, and extending for a period of sixty calendar days
13 following the end of the period specified in the
14 proclamation or declaration or sixty calendar days from the
15 proclamation or declaration if no end is provided. The
16 governor may extend the disaster period as warranted;

17 (3) "Pharmacy", the same meaning given to the term in
18 section 338.210.

19 2. Notwithstanding any provision of law to the
20 contrary, the board of pharmacy shall have the authority to
21 waive compliance with any Missouri rules and regulations for
22 a licensed pharmacy that is domiciled or headquartered in
23 this state when such pharmacy is dispensing, shipping, or
24 delivering prescription drugs into another state or United
25 States territory that is experiencing a declared state
26 disaster or emergency, provided that:

27 (1) The pharmacy is a licensed pharmacy in good
28 standing under this chapter and is authorized to ship
29 prescription drugs into the state or territory in question;

30 (2) The pharmacy is responding to an active declared
31 state disaster or emergency;

32 (3) The pharmacy complies with all emergency rules and
33 regulations for pharmacies established by the state or
34 territory for the duration of the disaster period;

35 (4) The pharmacy complies with all applicable federal
36 laws and regulations; and

37 (5) The waiver applies only to prescription drugs
38 dispensed, shipped, or delivered to residents or health care
39 facilities located within the geographic area specified in
40 the declared state disaster or emergency.

41 3. The board of pharmacy may promulgate rules to
42 implement the provisions of this section. Any rule or
43 portion of a rule, as that term is defined in section
44 536.010, that is created under the authority delegated in
45 this section shall become effective only if it complies with
46 and is subject to all of the provisions of chapter 536 and,
47 if applicable, section 536.028. This section and chapter
48 536 are nonseverable and if any of the powers vested with

49 **the general assembly pursuant to chapter 536 to review, to**
50 **delay the effective date, or to disapprove and annul a rule**
51 **are subsequently held unconstitutional, then the grant of**
52 **rulemaking authority and any rule proposed or adopted after**
53 **August 28, 2026, shall be invalid and void.**

338.333. 1. Except as otherwise provided by the board
2 of pharmacy by rule in the event of an emergency or to
3 alleviate a supply shortage, no person or distribution
4 outlet shall act as a wholesale drug distributor, pharmacy
5 distributor, drug outsourcer, or third-party logistics
6 provider without first obtaining license to do so from the
7 Missouri board of pharmacy and paying the required fee. The
8 board may grant temporary licenses when the wholesale drug
9 distributor, pharmacy distributor, drug outsourcer, or third-
10 party logistics provider first applies for a license to
11 operate within the state. Temporary licenses shall remain
12 valid until such time as the board shall find that the
13 applicant meets or fails to meet the requirements for
14 regular licensure. No license shall be issued or renewed
15 for a wholesale drug distributor, pharmacy distributor, drug
16 outsourcer, or third-party logistics provider to operate
17 unless the same shall be operated in a manner prescribed by
18 law and according to the rules and regulations promulgated
19 by the board of pharmacy with respect thereto. Separate
20 licenses shall be required for each distribution site owned
21 or operated by a wholesale drug distributor, pharmacy
22 distributor, drug outsourcer, or third-party logistics
23 provider, unless such drug distributor, pharmacy
24 distributor, drug outsourcer, or third-party logistics
25 provider meets the requirements of section 338.335.

26 2. An agent or employee of any licensed or registered
27 wholesale drug distributor, pharmacy distributor, drug

28 outsourcer, or third-party logistics provider need not seek
29 licensure under this section and may lawfully possess
30 pharmaceutical drugs, if the agent or employee is acting in
31 the usual course of his or her business or employment.

32 3. The board may permit out-of-state wholesale drug
33 distributors, drug outsourcers, third-party logistics
34 [provider] **providers**, or out-of-state pharmacy distributors
35 to be licensed as required by sections 338.210 to 338.370 on
36 the basis of reciprocity to the extent that the entity both:

37 (1) Possesses a valid license granted by another state
38 pursuant to legal standards comparable to those which must
39 be met by a wholesale drug distributor, pharmacy
40 distributor, drug [outsourcers] **outsourcer**, or third-party
41 logistics provider of this state as prerequisites for
42 obtaining a license under the laws of this state. **If a**
43 **state license is not issued by their resident state, out-of-**
44 **state wholesale drug distributors and third-party logistics**
45 **providers with a current and valid drug distributor**
46 **accreditation from the National Association of Boards of**
47 **Pharmacy or its successor may be eligible for licensure as**
48 **provided by the board by rule;** and

49 (2) Distributes into Missouri from a state which would
50 extend reciprocal treatment under its own laws to a
51 wholesale drug distributor, pharmacy distributor, drug
52 outsourcers, or third-party logistics provider of this state.

338.710. 1. There is hereby created in the Missouri
2 board of pharmacy the "RX Cares for Missouri Program". The
3 goal of the program shall be to promote medication safety
4 and to prevent prescription drug abuse, misuse, and
5 diversion in Missouri.

6 2. The board, in consultation with the department,
7 shall be authorized to expend, allocate, or award funds

8 appropriated to the board to private or public entities to
9 develop or provide programs or education to promote
10 medication safety or to suppress or prevent prescription
11 drug abuse, misuse, and diversion in the state of Missouri.
12 In no case shall the authorization include, nor the funds be
13 expended for, any state prescription drug monitoring program
14 including, but not limited to, such as are defined in 38 CFR
15 1.515. Funds disbursed to a state agency under this section
16 may enhance, but shall not supplant, funds otherwise
17 appropriated to such state agency.

18 3. The board shall be the administrative agency
19 responsible for implementing the program in consultation
20 with the department. The board and the department may enter
21 into interagency agreements between themselves to allow the
22 department to assist in the management or operation of the
23 program. The board may award funds directly to the
24 department to implement, manage, develop, or provide
25 programs or education pursuant to the program.

26 4. After a full year of program operation, the board
27 shall prepare and submit an evaluation report to the
28 governor and the general assembly describing the operation
29 of the program and the funds allocated. [Unless otherwise
30 authorized by the general assembly, the program shall expire
31 on August 28, 2026.]

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 standing**
26 **in any state**. 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.

537.033. 1. As used in this section, unless the
2 context clearly indicates otherwise, the following words and
3 terms shall have the meanings indicated:

4 (1) "Design professional", an architect, landscape
5 architect, professional land surveyor, [or] professional
6 engineer, **or licensed interior designer** licensed under the
7 provisions of chapter 327 or any corporation authorized to
8 practice architecture, landscape architecture, land
9 surveying, or engineering under section 327.401 while acting
10 within their scope of practice;

11 (2) "Lessons learned", internal meetings, classes,
12 publications in any medium, presentations, lectures, or
13 other means of teaching and communicating after substantial
14 completion of the project which are conducted solely and
15 exclusively by and with the employees, partners, and
16 coworkers of the design professional who prepared the
17 project's design for the purpose of learning best practices
18 and reducing errors and omissions in design documents and
19 procedures. Lessons learned shall not include
20 presentations, lectures, teaching, or communication made to
21 or by third parties who are not employees, partners, and
22 coworkers of the design professional whose work is being
23 evaluated and discussed;

24 (3) "Peer review process", a process through which
25 design professionals evaluate, maintain, or monitor the
26 quality and utilization of architectural, landscape
27 architectural, land surveying, [or] engineering, **or interior**
28 **design** services, prepare internal lessons learned, or
29 exercise any combination of such responsibilities;

30 (4) "Substantial completion", the construction of the
31 project covered by the design professional's design
32 documents has reached substantial completion, as that term
33 is defined in section 436.327.

34 2. A peer review process shall only be performed by a
35 design professional licensed in any jurisdiction in the
36 United States in the same profession as would be required
37 under chapter 327 to prepare the design documents being
38 reviewed, or in a case requiring multiple professions, by a
39 person or persons holding the proper licenses. A peer
40 review process may be performed by one or more design
41 professionals appointed by the partners, shareholders, board
42 of directors, chief executive officer, quality control

43 director, or employed design professionals of a partnership
44 or of a corporation authorized under section 327.401 to
45 practice architecture, landscape architecture, land
46 surveying, or engineering, or by the owner of a sole
47 proprietorship engaged in one or more of such professions.
48 Any individual identified in this subsection and performing
49 a peer review shall be deemed a peer reviewer.

50 3. Each peer reviewer described in this subsection
51 shall be immune from civil liability for such acts so long
52 as the acts are performed in good faith, without malice, and
53 are reasonably related to the scope of inquiry of the peer
54 review process. The immunity in this subsection is intended
55 to cover only outside peer reviews by a third-party design
56 professional who is not an employee, coworker, or partner of
57 the design professional whose design is being peer reviewed
58 before substantial completion of the project and who has no
59 other role in the project besides performing the peer review.

60 4. This section does not provide immunity to any in-
61 house peer reviewer when performed by employees, coworkers,
62 or partners of the design professional who prepares the
63 design, nor are any such documents or peer review comments,
64 other than lessons learned, inadmissible into evidence in
65 any judicial or administrative action.

66 5. Except for documents related to lessons learned,
67 the interviews, memoranda, proceedings, findings,
68 deliberations, reports, and minutes of the peer review
69 process, or the existence of the same, concerning the
70 professional services provided to a client or member of the
71 public are subject to discovery, subpoena, or other means of
72 legal compulsion for their release to any person or entity
73 and shall be admissible into evidence in any judicial or
74 administrative action for failure to provide appropriate

75 architectural, landscape architectural, land surveying, [or]
76 engineering, **or interior design** services, subject to
77 applicable rules of the court or tribunal. Except as
78 otherwise provided in this section, no person who was in
79 attendance at, or participated in, any lessons learned
80 process or proceedings shall be permitted or required to
81 disclose any information acquired in connection with or in
82 the course of such proceeding, or to disclose any opinion,
83 recommendation, or evaluation made in a lessons learned
84 process or proceeding; provided, however, that information
85 otherwise discoverable or admissible from original sources
86 is not to be construed as immune from discovery or use in
87 any proceeding merely because it was presented during a
88 lessons learned process or proceeding nor is a member,
89 employee, or agent involved in any such process or
90 proceeding, or other person appearing before a peer
91 reviewer, to be prevented from testifying as to matters
92 within his or her personal knowledge and in accordance with
93 the other provisions of this section, but such witness
94 cannot be questioned about a lessons learned process or
95 proceeding or about opinions formed as a result of such
96 process or proceeding. The disclosure of any memoranda,
97 proceedings, reports, or minutes of a lessons learned
98 proceeding to any person or entity, including but not
99 limited to governmental agencies, professional accrediting
100 agencies, or other design professionals, whether proper or
101 improper, shall not waive or have any effect upon its
102 confidentiality, nondiscoverability, or nonadmissibility.

103 6. Nothing in this section shall limit authority
104 otherwise provided by law of the Missouri board for
105 architects, professional engineers, professional land
106 surveyors, [and] **professional** landscape architects, and

107 **licensed interior designers** to obtain information by
108 subpoena or other authorized process from a peer reviewer or
109 to require disclosure of otherwise confidential information
110 relating to matters and investigations within the
111 jurisdiction of such licensing board.

621.045. 1. The administrative hearing commission
2 shall conduct hearings and make findings of fact and
3 conclusions of law in those cases when, under the law, a
4 license issued by any of the following agencies may be
5 revoked or suspended or when the licensee may be placed on
6 probation or when an agency refuses to permit an applicant
7 to be examined upon his or her qualifications or refuses to
8 issue or renew a license of an applicant who has passed an
9 examination for licensure or who possesses the
10 qualifications for licensure without examination:

11 Missouri State Board of Accountancy
12 Missouri State Board for Architects, Professional
13 Engineers, Professional Land Surveyors [and], **Professional**
14 **Landscape Architects, and Licensed Interior Designers**
15 Board of Barber Examiners
16 Board of Cosmetology
17 Board of Chiropody and Podiatry
18 Board of Chiropractic Examiners
19 Missouri Dental Board
20 Board of Embalmers and Funeral Directors
21 Board of Registration for the Healing Arts
22 Board of Nursing
23 Board of Optometry
24 Board of Pharmacy
25 Missouri Real Estate Commission
26 Missouri Veterinary Medical Board
27 Supervisor of Liquor Control

28 Department of Health and Senior Services
29 Department of Commerce and Insurance
30 Department of Mental Health
31 Board of Private Investigator Examiners.

32 2. If in the future there are created by law any new
33 or additional administrative agencies which have the power
34 to issue, revoke, suspend, or place on probation any
35 license, then those agencies are under the provisions of
36 this law.

37 3. The administrative hearing commission is authorized
38 to conduct hearings and make findings of fact and
39 conclusions of law in those cases brought by the Missouri
40 state board for architects, professional engineers,
41 professional land surveyors [and], **professional** landscape
42 architects, **and licensed interior designers** against
43 unlicensed persons under section 327.076.

44 4. Notwithstanding any other provision of this section
45 to the contrary, after August 28, 1995, in order to
46 encourage settlement of disputes between any agency
47 described in subsection 1 or 2 of this section and its
48 licensees, any such agency shall:

49 (1) Provide the licensee with a written description of
50 the specific conduct for which discipline is sought and a
51 citation to the law and rules allegedly violated, together
52 with copies of any documents which are the basis thereof and
53 the agency's initial settlement offer, or file a contested
54 case against the licensee;

55 (2) If no contested case has been filed against the
56 licensee, allow the licensee at least sixty days, from the
57 date of mailing, to consider the agency's initial settlement
58 offer and to contact the agency to discuss the terms of such
59 settlement offer;

60 (3) If no contested case has been filed against the
61 licensee, advise the licensee that the licensee may, either
62 at the time the settlement agreement is signed by all
63 parties, or within fifteen days thereafter, submit the
64 agreement to the administrative hearing commission for
65 determination that the facts agreed to by the parties to the
66 settlement constitute grounds for denying or disciplining
67 the license of the licensee; and

68 (4) In any contact under this subsection by the agency
69 or its counsel with a licensee who is not represented by
70 counsel, advise the licensee that the licensee has the right
71 to consult an attorney at the licensee's own expense.

72 5. If the licensee desires review by the
73 administrative hearing commission under subdivision (3) of
74 subsection 4 of this section at any time prior to the
75 settlement becoming final, the licensee may rescind and
76 withdraw from the settlement and any admissions of fact or
77 law in the agreement shall be deemed withdrawn and not
78 admissible for any purposes under the law against the
79 licensee. Any settlement submitted to the administrative
80 hearing commission shall not be effective and final unless
81 and until findings of fact and conclusions of law are
82 entered by the administrative hearing commission that the
83 facts agreed to by the parties to the settlement constitute
84 grounds for denying or disciplining the license of the
85 licensee.

86 6. When a holder of a license, registration, permit,
87 or certificate of authority issued by the division of
88 professional registration or a board, commission, or
89 committee of the division of professional registration
90 against whom an affirmative decision is sought has failed to
91 plead or otherwise respond in the contested case and

92 adequate notice has been given under sections 536.067 and
93 621.100 upon a properly pled writing filed to initiate the
94 contested case under this chapter or chapter 536, a default
95 decision shall be entered against the licensee without
96 further proceedings. The default decision shall grant such
97 relief as requested by the division of professional
98 registration, board, committee, commission, or office in the
99 writing initiating the contested case as allowed by law.
100 Upon motion stating facts constituting a meritorious defense
101 and for good cause shown, a default decision may be set
102 aside. The motion shall be made within a reasonable time,
103 not to exceed thirty days after entry of the default
104 decision. "Good cause" includes a mistake or conduct that
105 is not intentionally or recklessly designed to impede the
106 administrative process.

**Section 1. In the event that any section, provision,
2 clause, phrase, or word of this act or the application
3 thereof is declared invalid under the Constitution of the
4 United States or the Constitution of the State of Missouri,
5 it is the intent of the general assembly that the remaining
6 sections of this act remain in force and effect as far as
7 they are capable of being carried into execution as intended
8 by the general assembly. The general assembly hereby
9 declares that it would have passed each section, provision,
10 clause, phrase, or word thereof, irrespective of the fact
11 that any one or more sections, provisions, clauses, phrases,
12 or words of this act or the application of this act would be
13 declared unenforceable, unconstitutional, or invalid.**

2 [324.406. 1. There is hereby created
3 within the division of professional registration
4 a council to be known as the "Interior Design
5 Council". The council shall consist of four
interior designers and one public member

6 appointed by the director of the division. The
7 director shall give due consideration to the
8 recommendations by state organizations of the
9 interior design profession for the appointment
10 of the interior design members to the council.
11 Council members shall be appointed to serve a
12 term of four years; except that of the members
13 first appointed, one interior design member and
14 the public member shall be appointed for terms
15 of four years, one member shall be appointed for
16 a term of three years, one member shall be
17 appointed for a term of two years and one member
18 shall be appointed for a term of one year. No
19 member of the council shall serve more than two
20 terms.

21 2. Each council member, other than the
22 public member, shall be a citizen of the United
23 States, a resident of the state of Missouri for
24 at least one year, meet the qualifications for
25 professional registration, practice interior
26 design as the person's principal livelihood and,
27 except for the first members appointed, be
28 registered pursuant to sections 324.400 to
29 324.439 as an interior designer.

30 3. The public member shall be, at the time
31 of such person's appointment, a citizen of the
32 United States, a registered voter, a person who
33 is not and never was a member of the profession
34 regulated by sections 324.400 to 324.439 or the
35 spouse of such a person and a person who does
36 not have and never has had a material financial
37 interest in the providing of the professional
38 services regulated by sections 324.400 to
39 324.439. The duties of the public member shall
40 not include the determination of the technical
41 requirements for the registration of persons as
42 interior designers.

43 4. The provisions of section 324.028
44 pertaining to members of certain state boards
45 and commissions shall apply to all members of
46 the council.

47 5. Members of the council may be removed
48 from office for cause. Upon the death,
49 resignation or removal from office of any member

50 of the council, the appointment to fill the
51 vacancy shall be for the unexpired portion of
52 the term so vacated and shall be filled in the
53 same manner as the first appointment and due
54 notice be given to the state organizations of
55 the interior design profession prior to the
56 appointment.

57 6. Each member of the council may receive
58 as compensation an amount set by the division
59 not to exceed fifty dollars per day and shall be
60 reimbursed for the member's reasonable and
61 necessary expenses incurred in the official
62 performance of the member's duties as a member
63 of the council. The director shall establish by
64 rule guidelines for payment.

65 7. The council shall meet at least twice
66 each year and guide, advise, and make
67 recommendations to the division on matters
68 within the scope of sections 324.400 to
69 324.439. The organization of the council shall
70 be established by the members of the council.]

[324.412. The division shall:

- 2 (1) Employ, within the limits of the
3 appropriations for that purpose, such employees
4 as are necessary to carry out the provisions of
5 sections 324.400 to 324.439;
- 6 (2) Exercise all budgeting, purchasing,
7 reporting and other related management functions;
- 8 (3) Recommend prosecution for violations
9 of sections 324.400 to 324.439 to the
10 appropriate prosecuting or circuit attorney;
- 11 (4) Promulgate such rules and regulations
12 as are necessary to administer the provisions of
13 sections 324.400 to 324.439. Any rule or
14 portion of a rule, as that term is defined in
15 section 536.010, that is promulgated to
16 administer and enforce sections 324.400 to
17 324.439, shall become effective only if the
18 agency has fully complied with all of the
19 requirements of chapter 536, including but not
20 limited to, section 536.028, if applicable,
21 after August 28, 1998. If the provisions of
22 section 536.028 apply, the provisions of this

23 section are nonseverable and if any of the
24 powers vested with the general assembly pursuant
25 to section 536.028 to review, to delay the
26 effective date, or to disapprove and annul a
27 rule or portion of a rule are held
28 unconstitutional or invalid, the purported grant
29 of rulemaking authority and any rule so proposed
30 and contained in the order of rulemaking shall
31 be invalid and void, except that nothing in this
32 section shall affect the validity of any rule
33 adopted and promulgated prior to August 28,
34 1998.]

2 [324.421. The division shall register
3 without examination any interior designer
4 certified, licensed or registered in a foreign
5 country if the applicant has qualifications
6 which are at least equivalent to the
7 requirements for registration as a registered
8 interior designer in this state and such
9 applicant pays the required fees.]

2 [324.424. 1. The division shall set the
3 amount of the fees authorized by sections
4 324.400 to 324.439 by rules and regulations.
5 The fees shall be set at a level to produce
6 revenue which shall not substantially exceed the
7 cost and expense of administering sections
8 324.400 to 324.439. All fees required pursuant
9 to sections 324.400 to 324.439 shall be paid to
10 and collected by the division of professional
11 registration and transmitted to the department
12 of revenue for deposit in the state treasury to
13 the credit of the "Interior Designer Council
14 Fund", which is hereby created.

15 2. Notwithstanding the provisions of
16 section 33.080 to the contrary, money in the
17 fund shall not be transferred and placed to the
18 credit of general revenue until the amount in
19 the fund at the end of the biennium exceeds
20 three times the amount of the appropriation to
21 the council for the preceding fiscal year. The
22 amount, if any, in the fund which shall lapse is
the amount in the fund which exceeds the

23 appropriate multiple of the appropriations to
24 the council for the preceding fiscal year.]

[324.436. 1. The division may refuse to
2 issue any certificate required pursuant to
3 sections 324.400 to 324.439, or renew or
4 reinstate any such certificate, for any one or
5 any combination of the reasons stated in
6 subsection 2 of this section. The division
7 shall notify the applicant in writing of the
8 reasons for the refusal and shall advise the
9 applicant of the person's right to file a
10 complaint with the administrative hearing
11 commission as provided in chapter 621.

12 2. The division may cause a complaint to
13 be filed with the administrative hearing
14 commission as provided by chapter 621 against
15 any holder of a certificate of registration
16 required by sections 324.400 to 324.439 or any
17 person who has failed to renew or has
18 surrendered the person's certificate of
19 registration for any one or combination of the
20 following reasons:

21 (1) The person has been finally
22 adjudicated and found guilty, or entered a plea
23 of guilty or nolo contendere, in a criminal
24 prosecution under the laws of any state or of
25 the United States, or of any country, for any
26 offense directly related to the duties and
27 responsibilities of the occupation, as set forth
28 in section 324.012, regardless of whether or not
29 sentence is imposed;

30 (2) Use of fraud, deception,
31 misrepresentation or bribery in securing any
32 certificate of registration issued pursuant to
33 sections 324.400 to 324.439 or in obtaining
34 permission to take any examination given or
35 required pursuant to sections 324.400 to 324.439;

36 (3) Obtaining or attempting to obtain any
37 fee, charge, tuition or other compensation by
38 fraud, deception or misrepresentation;

39 (4) Incompetency, misconduct, gross
40 negligence, fraud, misrepresentation or
41 dishonesty in the performance of the functions

42 or duties of the profession regulated by
43 sections 324.400 to 324.439;

44 (5) Violation of, or assisting or enabling
45 any person to violate, any provision of sections
46 324.400 to 324.439, or of any lawful rule or
47 regulation adopted pursuant to such sections;

48 (6) Impersonation of any person holding a
49 certificate of registration or authority, permit
50 or license or allowing any person to use the
51 person's certificate or diploma from any school;

52 (7) Disciplinary action against the holder
53 of a certificate of registration or other right
54 to perform the profession regulated by sections
55 324.400 to 324.439 granted by another state,
56 territory, federal agency or country upon
57 grounds for which revocation or suspension is
58 authorized in this state;

59 (8) A person is finally adjudged insane or
60 incompetent by a court of competent jurisdiction;

61 (9) Issuance of a certificate of
62 registration based upon a material mistake of
63 fact;

64 (10) Use of any advertisement or
65 solicitation which is false, misleading or
66 deceptive to the general public or persons to
67 whom the advertisement or solicitation is
68 primarily directed, as it relates to the
69 interior design profession.

70 3. After the filing of a complaint
71 pursuant to subsection 2 of this section, the
72 proceedings shall be conducted in accordance
73 with the provisions of chapter 536 and chapter
74 621. Upon a finding by the administrative
75 hearing commission that the grounds, provided in
76 subsection 2 of this section, for disciplinary
77 action are met, the division shall censure or
78 place the person named in the complaint on
79 probation for a period not to exceed five years
80 or may suspend the person's certificate for a
81 period not to exceed three years or may revoke
82 the person's certificate of registration.]

Section B. The repeal of sections 324.406 and 324.424
2 shall become effective upon notification to the revisor from

3 the director of the division of professional registration of
4 the department of commerce and insurance of the appointment
5 and confirmation of two members to the interior design
6 division of the Missouri board for architects, professional
7 engineers, professional land surveyors, professional
8 landscape architects, and licensed interior designers.

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