

SENATE SUBSTITUTE  
FOR  
SENATE BILL NO. 1083  
AN ACT

To repeal sections 324.001, 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, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 334.031, 334.870, 334.880, 337.600, 345.050, 537.033, and 621.045, RSMo, and to enact in lieu thereof twenty-seven new sections relating to professional licensing, with penalty provisions, a severability clause, and an effective date for certain sections.

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

Section A. Sections 324.001, 324.028, 324.400, 324.402,  
 2 324.403, 324.406, 324.409, 324.412, 324.415, 324.418, 324.421,  
 3 324.424, 324.427, 324.430, 324.433, 324.436, 324.439, 327.011,  
 4 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451,  
 5 334.031, 334.870, 334.880, 337.600, 345.050, 537.033, and  
 6 621.045, RSMo, are repealed and twenty-seven new sections  
 7 enacted in lieu thereof, to be known as sections 324.001,  
 8 324.028, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411,  
 9 327.442, 327.451, 327.700, 327.705, 327.710, 327.720, 327.725,  
 10 327.730, 327.735, 327.740, 327.745, 327.750, 334.031, 334.870,  
 11 334.880, 337.600, 345.050, 537.033, and 621.045, to read as  
 12 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.

324.028. 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.

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.

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  
2 provisions of this chapter shall be deposited in the state  
3 treasury to the credit of the "State Board for Architects,  
4 Professional Engineers, Professional Land Surveyors [and],  
5 Professional Landscape Architects, and Licensed Interior  
6 Designers Fund" which is hereby established. All  
7 expenditures authorized by this chapter shall be paid from  
8 funds appropriated to the board by the general assembly from  
9 this fund.

10 2. The provisions of section 33.080 to the contrary  
11 notwithstanding, money in this fund shall not be transferred  
12 and placed to the credit of general revenue until the amount

13 in the fund at the end of the biennium exceeds two times the  
14 amount of the appropriation from the board's funds for the  
15 preceding fiscal year or, if the board requires by rule  
16 permit renewal less frequently than yearly, then three times  
17 the appropriation from the board's funds for the preceding  
18 fiscal year. The amount, if any, in the fund which shall  
19 lapse is that amount in the fund which exceeds the  
20 appropriate multiple of the appropriations from the board's  
21 funds for the preceding fiscal year.

22 3. Upon appointment by the governor and confirmation  
23 by the senate of the two licensed interior designers to be  
24 first appointed to the interior design division of the  
25 board, all moneys in the interior designer council fund  
26 shall be transferred to the state board for architects,  
27 professional engineers, professional land surveyors,  
28 professional landscape architects, and licensed interior  
29 designers fund. The interior designer council fund shall be  
30 abolished upon the transfer of all moneys in the fund to the  
31 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.

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.

2 [324.400.] 327.700. As used in sections [324.400 to  
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.

1           [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.

1           [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.

1           [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.

1           334.031. 1. Candidates for licenses as physicians and  
2   surgeons shall furnish [satisfactory evidence of their good  
3   moral character, and their preliminary qualifications, to  
4   wit: a certificate of graduation from an accredited high  
5   school or its equivalent, and satisfactory evidence of  
6   completion of preprofessional education consisting of a  
7   minimum of sixty semester hours of college credits in  
8   acceptable subjects leading towards the degree of bachelor  
9   of arts or bachelor of science from an accredited college or  
10  university. They shall also furnish satisfactory evidence  
11  of having attended throughout at least four terms of thirty-

12 two weeks of actual instructions in each term and of having  
13 received a diploma from some reputable medical college or  
14 osteopathic college that enforces requirements of four terms  
15 of thirty-two weeks for actual instruction in each term,  
16 including, in addition to class work, such experience in  
17 operative and hospital work during the last two years of  
18 instruction as is required by the American Medical  
19 Association and the American Osteopathic Association before  
20 the college is approved and accredited as reputable. Any  
21 medical college approved and accredited as reputable by the  
22 American Medical Association or the Liaison Committee on  
23 Medical Education and any osteopathic college approved and  
24 accredited as reputable by the American Osteopathic  
25 Association is deemed to have complied with the requirements  
26 of this subsection]:

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

29 (b) Either:

30 a. A diploma and academic transcripts from a school  
31 accredited by the Liaison Committee on Medical Education,  
32 the Commission on Osteopathic College Accreditation, or a  
33 similar accrediting agency or from some reputable medical  
34 college or osteopathic college; or

35 b. A valid certificate from the Educational Commission  
36 for Foreign Medical Graduates (ECFMG); and

37 (c) A certificate demonstrating that the applicant has  
38 satisfied the requirements of section 334.035 relating to  
39 postgraduate training. An applicant who holds a valid  
40 certificate issued by the ECFMG shall submit satisfactory  
41 evidence of successful completion of two years of such  
42 training.

43 (2) Except as provided in subsection 3 of this  
44 section, the board shall not require applicants to provide

45 information in addition to the information the applicant is  
46 required to furnish under this subsection.

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

62 3. The board may require applicants to list all  
63 licenses to practice as a physician currently or previously  
64 held in any other state, territory, or country and to  
65 disclose any past or pending investigations, discipline, or  
66 sanctions against each such license.

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

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.

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.

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

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

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

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

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

          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.

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  
6 interior designers and one public member  
7 appointed by the director of the division. The  
8 director shall give due consideration to the  
9 recommendations by state organizations of the  
10 interior design profession for the appointment  
11 of the interior design members to the council.  
12 Council members shall be appointed to serve a  
13 term of four years; except that of the members  
14 first appointed, one interior design member and  
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  
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  
Fund", which is hereby created.

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

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

13 2. The division may cause a complaint to  
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. 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.

Section C. 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.