

HS HCS HB 1195 -- PROFESSIONAL REGISTRATION (Behnen)

This substitute changes the laws regarding regulation of professions by the Division of Professional Registration.

DEAF INTERPRETERS

The substitute authorizes the Missouri Commission for the Deaf and Hard of Hearing to issue provisional certification as an interpreter to a person nominated by a school district if the district certifies that it is unable to locate and employ a certified licensed deaf interpreter.

Persons enrolled in accredited interpreter training programs will be exempt from licensure if they are only engaged in activities which constitute part of their course of study.

Certified deaf interpreters from other states will be allowed to practice without a license for the purpose of providing temporary services at special events.

The division is given the authority to deny license renewal of deaf interpreters for failure to provide satisfactory evidence of current certification with the commission.

DIETITIANS

The substitute modifies provisions regarding the licensing of dietitians. In its main provisions, the substitute:

- (1) Establishes the Commission on Accreditation for Dietetics Education of the American Dietetic Association as the accrediting body for persons wishing to become licensed dietitians in this state;
- (2) Creates definitions for "dietetic practice," "dietitian," "licensed dietitian," "medical nutrition therapy," and "registered dietitian";
- (3) Places the State Committee of Dietitians within the division;
- (4) Authorizes the committee to assist the division in carrying out the provisions of the Dietitians Practice Act;
- (5) Requires the committee to approve the licensing examination;
- (6) Prohibits persons from using the title or saying they are licensed dietitians unless duly licensed by the committee;

(7) Exempts certain persons from licensure that do not call themselves licensed dietitians; and

(8) Contains provisions regarding lapsed and inactive licenses.

INTERIOR DESIGN

The title "registered commercial interior designer" is changed to "registered interior designer" in the statutes dealing with their licensing.

The substitute also provides that political subdivisions are not required to use registered interior designers for residential construction purposes.

TATTOOISTS

The division is authorized to issue temporary licenses for persons entering the state for the sole purpose of participating in a state or national convention where the applicant will be practicing the profession of tattooing, body piercing, and branding. The temporary license will be valid for 14 days.

BARBER APPRENTICES

The substitute provides for the licensing of barber apprentices and the certification of barber apprentice supervisors. Prior to being eligible to apply for a barber's license, barber apprentices must work at least 2,000 hours under a licensed barber who is certified by the State Board of Barber Examiners as a barber apprentice supervisor. Applicants for a barber apprentice certificate must be at least 17 years old.

DENTAL HYGIENE ADVISORY COMMISSION

The Missouri Dental Board is required to pay a per diem not to exceed \$50 a day for actual and necessary expenses incurred by members of the Advisory Commission for Dental Hygienists.

PHYSICAL THERAPISTS

The substitute changes the laws regarding physical therapists and physical therapy assistants. In its main provisions, the substitute:

(1) Removes the requirement that applicants for licensure must pass the licensing exam within three attempts;

(2) Removes the requirement that the exam must be the same for all applicants;

(3) Removes the requirements regarding the preservation of grades and scores and making them available for public inspection; and

(4) Requires that temporary licenses be valid for 90 days or until the examination results are received and will not be renewed.

NURSING

The definition of "qualified employment" under the Nursing Student Loan Program is modified to include any licensed hospital as defined by the Hospital Licensing Law.

SOCIAL WORKERS

Residents of Missouri holding licenses to practice social work in other states will be granted licenses to practice social work if the other state's license requirements are substantially the same as Missouri's.

REAL ESTATE

The substitute changes the laws regarding the practice of real estate. In its main provisions, the substitute:

(1) Adds Internet web sites to the licensing exemption, when in the case of advertising real estate, the advertising is incidental to their normal business operations;

(2) Removes the requirement of having on file with the Real Estate Commission a certified copy of a currently effective statement of record from the Office of Interstate Land Sales when land developers sell their own property;

(3) Allows the commission to issue temporary work permits to individuals who have satisfied all licensing requirements prior to the final review and printing of their licenses;

(4) Grants entities providing continuing education the authority to do so through the means of distance delivery;

(5) Gives the commission the authority, when conducting investigations of complaints involving affiliated licensees, to forward copies of the information regarding the complaint to the affiliated licensee's broker;

(6) Gives the commission authority, when a licensee fails to renew or surrender his or her license and the commission finds the licensee to be in violation of certain provisions, to cause

complaints to be filed with the Administrative Hearing Commission;

(7) Increases the amount of compensation which each member of the Real Estate Commission receives from \$50 to \$75 per day;

(8) Requires designated brokers who have affiliated licensees to adopt a written policy describing their relationships in regard to their real estate activities; and

(9) Repeals the provisions relating to escrow agents.

SPEECH PATHOLOGY ASSISTANTS

The substitute repeals provisions regarding the licensing requirements of speech pathology assistants and requires them to have a bachelor's degree.

ATHLETE AGENTS

All athlete agents operating in this state will be required to be registered and certified by the division. Fees for registration and renewal will be set by the division and deposited into the Athlete Agent Fund, which is created by the substitute. Registration and certification are valid for a two-year period and may be renewed indefinitely. The division director may refuse to issue a certificate or may suspend or revoke a certificate because of the following circumstances:

(1) The applicant has been convicted of a crime of moral turpitude;

(2) The applicant made false statements on the application;

(3) The applicant has had a similar license suspended or revoked in another state; or

(4) The applicant has caused a student-athlete to be suspended from or to be ineligible for any interscholastic or intercollegiate athletic event.

The substitute requires all contracts between agents and athletes to be written and contain certain information, including the basis for the agent's fee and a notice warning the student-athlete about the possible loss of eligibility.

LICENSURE OF FOREIGN APPLICANTS

The substitute requires persons from foreign countries when making application for a license or temporary permit to practice

within any of the professions regulated by the division to provide their visa and/or passport identification number in lieu of a social security number.

FUND ACCOUNTS

The substitute requires money in the Athletic Fund, the State Committee of Psychologists Fund, the Committee of Professional Counselors Fund, the Marital and Family Therapists Fund, and the Hearing Instrument Specialist Fund to be three times the preceding year's appropriation prior to being placed in the General Revenue Fund.

FISCAL NOTE: No impact on General Revenue Fund of \$0 in FY 2005, FY 2006, and FY 2007. Estimated Income on Other State Funds of \$186,850 in FY 2005, \$6,356 in FY 2006, and \$198,640 in FY 2007.