

HCS HB 833 -- PROFESSIONAL LICENSES

SPONSOR: Wasson

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Professional Registration and Licensing by a vote of 11 to 0.

This substitute changes the laws regarding the licensing of certain professionals within the Division of Professional Registration within the Department of Insurance, Financial Institutions, and Professional Registration; Missouri Public Service Commission; Department of Health and Senior Services; and Department of Public Safety.

MANUFACTURED HOMES

Currently, every manufactured housing manufacturer or dealer who offers for sale four or more new or used homes must register with the Missouri Public Service Commission. The substitute changes the registration requirement to those who offer to sell four or more used homes or one or more new homes within a year. The Manufactured Housing Consumer Recovery Fund is created to pay claims filed by aggrieved consumers who have exhausted all other legal remedies. Manufactured home dealers are required to provide purchasers with a bill of sale containing the serial number and the names of the persons responsible for the installation and setup. Every manufactured home dealer must register and pay a \$200 registration or renewal fee on or before January 15 each year with a permanent place of business for sales and record keeping.

The commission may refuse to register an applicant or suspend or revoke a registration which will apply to all registrations held by the dealer if there is a consistent pattern of abuse. The commission, through its general counsel, may seek remedies in a circuit court for violations.

TATTOOISTS

The substitute authorizes the Director of the Division of Professional Registration to establish rules regarding the educational and training requirements for applicants to receive or renew a license to practice tattooing, branding, or body piercing.

The division is authorized to file complaints with the Administrative Hearing Commission for certain reasons specified in the substitute.

MEDICAL IMAGING

The Medical Imaging and Radiation Therapy Quality Assurance Act of 2007 is established. The substitute:

- (1) Establishes the Medical Imaging and Radiation Therapy Board of Examiners within the Division of Professional Registration;
- (2) Requires all persons administering medical imaging and radiation therapy procedures to be licensed by the board;
- (3) Exempts physicians, veterinarians, dentists, chiropractors, podiatrists, registered nurses, and certain qualified persons currently practicing medical imaging and radiation therapy from licensure;
- (4) Establishes certain criteria to be met by applicants for licensure as radiographers, radiation therapists, nuclear medicine technologists, and dental radiographers;
- (5) Authorizes the board to certify programs for medical imaging and radiation therapy in medical facilities, dental facilities, educational institutions, or other public or private institutions;
- (6) Authorizes the board to adopt rules; give examinations; waive examination requirements; establish continuing education; issue temporary permits; and renew, revoke, and suspend licenses;
- (7) Authorizes the board to investigate charges and allegations brought against licensees, issue subpoenas, hold hearings, render judgments, and hear appeals; and
- (8) Requires, beginning August 28, 2009, persons providing the technical component of diagnostic ultrasound services (sonography or vascular technology) to be credentialed or practice in an accredited laboratory.

NURSING HOME ADMINISTRATORS

The substitute changes the laws regarding the licensure of nursing home administrators. The substitute:

- (1) Requires licensing fees to be paid to the Department of Health and Senior Services;
- (2) Prohibits an applicant for licensure who has failed three times the examination administered by the Missouri Board of Nursing Home Administrators from being licensed unless he or she has successfully completed the board-prescribed course of instruction and passed the examination;

(3) Allows a temporary emergency license to be issued to an applicant whose licensing examination results have not been received by the board;

(4) Authorizes the board to issue probationary licenses;

(5) Allows the board to file a complaint with the Administrative Hearing Commission for violation of any provision of Chapter 198, RSMo, or rule established by the board;

(6) Requires that certain members of the board be citizens of the United States and reside in Missouri for at least one year prior to their appointment; and

(7) Authorizes the board to establish an inactive license for a licensee who requests it.

ELEVATOR SAFETY BOARD

The membership of the Elevator Safety Board is increased from 11 to 13. One of the new members must be a licensed professional engineer and the other a representative of an elevator company that installs, services, and maintains elevators but is not an elevator manufacturer.

The Director of the Department of Public Safety is authorized to assign a designee to the board if he or she chooses not to serve.

The provision requiring that no more than six members of the board be of the same political party is repealed.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$40,711 in FY 2008, \$50,320 in FY 2009, and \$54,179 in FY 2010. Estimated Effect on Other State Funds of a cost of \$202,180 in FY 2008, an income of \$589,781 in FY 2009, and a cost of \$232,613 in FY 2010.

PROPOSERS: Supporters say that the bill allows the Division of Professional Registration to issue injunctions. Currently, the division has no authority to prohibit the practice of persons found to be in violation of the law.

Testifying for the bill were Representative Wasson; and Division of Professional Registration, Department of Insurance, Financial Institutions, and Professional Registration.

OPPOSERS: There was no opposition voiced to the committee.