

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1832

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WELLS (Sponsor), DOUGHERTY, SCHAAF, DENISON,  
SCHOELLER, WETER, POLLOCK, FLOOK, MUNZLINGER, JONES (117), COX, DIEHL, EMERY,  
PARSON AND RICHARD (Co-sponsors).

4495L.01P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 337.528, RSMo, and to enact in lieu thereof one new section relating to professional counselors.

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

Section A. Section 337.528, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 337.528, to read as follows:

337.528. 1. If the committee finds merit to a complaint by an individual incarcerated or under the care and control of the department of corrections **or by an individual who has been ordered to be taken into custody, detained, or held under sections 632.480 to 632.513** and takes further investigative action, no documentation may appear on file or disciplinary action may be taken in regards to the licensee's license unless the provisions of subsection 2 of section 337.525 have been violated. Any case file documentation that does not result in the committee filing an action under subsection 2 of section 337.525 shall be destroyed within three months after the final case disposition by the board. No notification to any other licensing board in another state or any national registry regarding any investigative action shall be made unless the provisions of subsection 2 of section 337.525 have been violated.

2. Upon written request of the licensed professional counselor subject to a complaint, prior to August 28, 2007, by an individual incarcerated or under the care and control of the department of corrections **or prior to August 28, 2010, by an individual who has been ordered to be taken into custody, detained, or held under sections 632.480 to 632.513** that

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 did not result in the committee filing an action under subsection 2 of section 337.525, the  
16 committee and the division of professional registration shall in a timely fashion:

17 (1) Destroy all documentation regarding the complaint;

18 (2) Notify any other licensing board in another state or any national registry regarding  
19 the committee's actions if they have been previously notified of the complaint; and

20 (3) Send a letter to the licensee that clearly states that the committee found the complaint  
21 to be unsubstantiated, that the committee has taken the requested action, and notify the licensee  
22 of the provisions of subsection 3 of this section.

23 3. Any person who has been the subject of an unsubstantiated complaint as provided in  
24 subsection 1 or 2 of this section shall not be required to disclose the existence of such complaint  
25 in subsequent applications or representations relating to their counseling professions.

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