

## HCS SB 125 -- PROFESSIONAL REGISTRATION

SPONSOR: Wasson (Ross)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Professional Registration and Licensing by a vote of 13 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative Oversight by a vote of 13 to 0.

This bill relates to the regulation of certain professions.

### MUNICIPAL BUILDING PERMITS

This bill prohibits any municipality from requiring a construction industry employer to maintain any policy of insurance other than workers' compensation and general liability as a condition prior to issuing a residential building permit. In addition, the bill prohibits a municipality from requiring the construction industry employer to hold a certificate, license or degree (Sections 71.960 and 71.961, RSMo).

This is the same as HB 869 (2017).

### VOLUNTEER HEALTH SERVICES ACT

This bill expands the Volunteer Health Services Act to allow health care providers not affiliated with a sponsoring organization to register with their licensing boards before providing volunteer health care services to uninsured and underserved individuals. Such health care providers shall then be exempt from any action arising out of such treatment except for any act or omission that was the result of gross deviation from the ordinary standard of care or willful misconduct. The bill allows a health care professional to earn up to eight hours of continuing education credits for volunteer services provided, under these provisions, to eligible patients (Sections 191.1100, 191.1110, 191.1114, and 191.1116).

This is the same as HB 1050 (2017).

### INSPECTION OF X-RAY SYSTEMS

This bill requires cone beam computed tomography systems and panoramic x-ray systems that cannot produce radiation intensity greater than 30 milligrays shall not be required to be inspected more frequently than ever three years. Cone beam computed tomography systems that can produce a greater radiation intensity shall be inspected annually. All cone beam computed tomography systems and panoramic x-ray systems shall be inspected within 30

days of installation and whenever moved within an office. Conventional x-ray equipment used exclusively on animals by a licensed veterinarian shall be inspected every four years (Section 192.500).

This is similar to HB 349 (2017).

#### PROFESSIONAL REGISTRATION

This bill establishes guidelines for the regulation of occupations and professions not currently regulated by the Division of Professional Registration, within the Department of Insurance, Financial Institutions and Professional Registration, as well as guidelines for substantially increasing the scope of practice of currently regulated occupations and professions. The bill specifies that the state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is an important governmental interest for the state to protect the general welfare. If an interest exists, the regulation adopted by the state must be substantially related to the public interest to be protected. All bills introduced in the General Assembly to regulate an occupation or profession for the first time or to substantially increase the scope of practice must be reviewed according to specified criteria. For any new board or commission charged with regulating or licensing an occupation or profession, the bill specifies that those practitioners actively engaged in a newly regulated occupation or profession for at least one year prior to the effective date of the regulatory statute must have a property right in his or her continued legal ability to engage in his or her occupation or profession and specified due process rights. Any refusal of licensure by the board shall be in writing and any practitioner denied licensure shall then have the right to appeal the decision (Sections 324.001 and 621.280).

This is the same as HCS HB 480 (2017).

#### REGULATION OF CERTAIN PROFESSIONS

This bill provides the acceptable ways in which a professional licensee may submit payment, application, requests for educational time extensions, or notify his or her licensing board for changes to items required as part of licensure to the Division of Professional Registration or its component boards, committees, offices, and commissions. This provision applies to all regulated professions in this state, regardless of whether they require a license, permit, certification, or registration (Section 324.003 RSMo).

This is similar to HB 904, HB 815, and SB 125 (2017).

## REGULATION OF PUBLIC ACCOUNTANTS

This bill modifies provisions relating to the practice of public accountants. The bill modifies several definitions related to the profession of accountancy and lowers the age that someone can become licensed as an accountant from 21 to 18. A certified public accounting firm that does not have an office in the state of Missouri may offer or perform attest or compilation services in Missouri without a permit if it meets certain requirements, as set forth in the bill. All firms practicing public accounting in the state of Missouri shall register with the Secretary of State, unless they are exempted as described in the bill. This bill repeals several provisions relating to review services done by a public accountant or a public accounting firm. The bill repeals a provision stating that a licensee who supervises review services or signs or authorizes someone to sign review reports shall meet competency requirements as determined by the board. This bill also repeals a provision that states that, prior to January 1, 2008, licensees who perform fewer than three attest services a year shall be exempt from the requirement to undergo peer review as described in the bill. The bill repeals a provision relating to documents subject to lawful discovery in a court proceeding pursuant to the Missouri Rules of Civil Procedure prior to August 28, 2001. This bill also repeals a provision about the power of the Missouri State Board of Accountancy to revoke the permit of a CPA firm (Sections 326.256, 326.259, 326.265, 326.280, 326.283, 326.286, 326.289, 326.292, 326.307, 326.310, and 326.325).

This is the same as HB 1060 (2017).

## LAND SURVEYORS

This bill removes any requirement for letters of reference in order to apply for enrollment as a land surveyor-in-training or to apply for licensure as a professional land surveyor. The law currently requires an applicant for land surveyor-in-training to provide three letters of reference, at least one of which must be from a professional land surveyor who has personal knowledge of the applicant's land surveying education or experience. An applicant for licensure as a professional land surveyor must provide at least three letters of reference, all of which must be from professional land surveyors with personal knowledge of the experience of the applicant's land surveying education or experience. All other requirements would remain in effect (Sections 327.313 and 327.321).

This is the same as HB 557 (2017).

## COSMETOLOGY AND BARBERS

This bill allows a cosmetologist or barber to appear in person at the Board of Cosmetology and Barber Examiners' office, or to mail a notarized affidavit thereto, in order to obtain a duplicate cosmetology or barber license when the original license has been destroyed, lost, mutilated beyond practical usage, or was never received (Sections 328.025 and 329.033).

This is the same as HB 813 (2017).

This bill specifies that the practice of cosmetology cannot include hair braiding and requires that all individuals engaging in braiding first register with the State Board of Cosmetology and Barber Examiners. The purpose of the registration is only to maintain a listing of individuals who engage in hair braiding for compensation and does not authorize the board to license or regulate the practice of hair braiding in any way. The board must prepare a brochure containing information regarding infection control techniques for hair braiding that must contain a self-test with questions. An individual engaged in the practice of hair braiding is required to complete the self-test and make it available upon request.

The bill removes the requirement that applicants for a barber license be free of contagious or infectious diseases and the good moral character requirement for cosmetologists. This bill specifies that applicants will be denied licensure if he or she has been found guilty of any of a set list of offenses.

Currently, the board will grant a license, without first requiring an examination, to an applicant who already holds a license in another state where the requirements for licensure are substantially equal to the licensing requirements in Missouri, this bill removes the substantial similar requirement. The bill also prevents any political subdivision from requiring a licensed barber or cosmetologist practicing within a barber or cosmetology shop to also obtain a business license (Sections 328.080, 328.132, 329.010, 329.032, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, 329.275, and 328.100).

This is the same as HCS HB 230 (2017).

#### HOSPITAL EMPLOYEES

This bill allows hospitals to employ dentists, oral and maxillofacial surgeons, and maxillofacial prosthodontist for certain specified purposes (Section 332.081).

#### COLLABORATIVE PRACTICE ARRANGEMENTS

This bill makes the geographic proximity requirement for collaborative practice arrangements 75 miles. The 75 mile requirement applies to advanced practice registered nurses, assistant physicians, and physician assistants (Sections 334.037, 334.104, and 334.735).

#### CONTINUING EDUCATION

This bill requires licensed optometrists to obtain two hours of continuing education in the area of Missouri jurisprudence. These hours can be counted toward the 32 hour total required continued education requirements (Section 336.080).

This bill limits continuing education requirements for speech-language pathologists and audiologists to 30 hours triennially (Section 345.051).

#### PSYCHOLOGY INTERJURISDICTIONAL COMPACT

This bill allows Missouri to enter into the psychology interjurisdictional compact. This compact is intended to regulate the day to day practice of psychology across state lines. Under the compact a psychologist can treat a patient across state lines using telecommunication technologies. A psychologist can also cross state lines and treat a patient in person for up to 30 days in a year but only if he or she has first initiated contact with the patient via telecommunications technologies (Sections 337.100, 337.105, 337.110, 337.115, 337.120, 337.125, 337.130, 337.135, 337.140, 337.145, 337.150, 337.155, 337.160, and 337.165).

This is the same as HB 227 (2017).

**PROPONENTS:** Supporters say that the underlying bill would modernize the licensure process and make it more convenient for licensees and applicants. The Division of Professional Registration says that providing an electronic option may actually save the division money in the long run.

Testifying for the bill were Senator Wasson; Missouri Division of Professional Registration; and Missouri State Medical Association.

**OPPONENTS:** There was no opposition voiced to the committee.