

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1419, Page 3, Section 337.020, Line 74, by inserting immediately after
2 said section the following:

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4 "337.035. 1. The committee may refuse to issue any certificate of registration or authority,
5 permit or license required pursuant to this chapter for one or any combination of causes stated in
6 subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for
7 the refusal and shall advise the applicant of the applicant's right to file a complaint with the
8 administrative hearing commission as provided by chapter 621.

9 2. The committee may cause a complaint to be filed with the administrative hearing
10 commission as provided by chapter 621 against any holder of any certificate of registration or
11 authority, permit or license required by this chapter or any person who has failed to renew or has
12 surrendered the person's certificate of registration or authority, permit or license for any one or any
13 combination of the following causes:

14 (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an
15 extent that such use impairs a person's ability to perform the work of any profession licensed or
16 regulated by this chapter;

17 (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or
18 nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for
19 any offense reasonably related to the qualifications, functions or duties of any profession licensed or
20 regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an
21 act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

22 (3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of
23 registration or authority, permit or license issued pursuant to this chapter or in obtaining permission
24 to take any examination given or required pursuant to this chapter;

25 (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
26 fraud, deception or misrepresentation;

27 (5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in
28 the performance of the functions or duties of any profession licensed or regulated by this chapter;

29 (6) Violation of, or assisting or enabling any person to violate, any provision of this chapter,
30 or of any lawful rule or regulation adopted pursuant to this chapter;

31 (7) Impersonation of any person holding a certificate of registration or authority, permit or
32 license or allowing any person to use his or her certificate of registration or authority, permit,
33 license or diploma from any school;

34 (8) Disciplinary action against the holder of a license or other right to practice any
35 profession regulated by this chapter granted by another state, territory, federal agency or country
36 upon grounds for which revocation or suspension is authorized in this state;

Action Taken _____ Date _____

(9) A person is finally adjudged insane or incapacitated by a court of competent jurisdiction;
 (10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by this chapter who is not registered and currently eligible to practice as provided this chapter;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by this chapter or any rule promulgated pursuant to this chapter;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in "Ethical Rules of Conduct" as adopted by the committee and filed with the secretary of state;

(16) Engaging in conversion therapy with a minor. For purposes of this subdivision, the term "conversion therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" shall not include counseling that provides assistance to a person undergoing gender transition or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2, for disciplinary action are met, the committee may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the department deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. An interested third party may file a complaint or appear or present evidence relative to such complaint or another complaint filed pursuant to this section. For purposes of this section, an interested third party includes a parent or guardian of a person who received treatment by a psychologist or any person who is related within the second degree of consanguinity or affinity and who is financially responsible for the payment of such treatment."; and

Further amend said bill, Page 8, Section 337.320, Line 41, by inserting immediately after said section and line the following:

"337.330. 1. The committee may refuse to issue any license required under this chapter for one or any combination of causes stated in subsection 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The committee may cause a complaint to be filed with the administrative hearing commission, as provided by chapter 621, against any holder of any license required by this chapter or any person who has failed to renew or has surrendered the person's license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or

regulated by this chapter;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued under this chapter or in obtaining permission to take any examination given or required under sections 337.300 to 337.345;

(4) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties of any profession licensed by sections 337.300 to 337.345;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 337.300 to 337.345, or of any lawful rule adopted thereunder;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license, or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 337.300 to 337.345 granted by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incapacitated by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 337.300 to 337.345 who is not registered and currently eligible to practice as provided in sections 337.300 to 337.345;

(11) Issuance of a certificate of registration or authority, permit, or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by sections 337.300 to 337.345 or any rule promulgated thereunder;

(13) Violation of any professional trust or confidence;

(14) Use of any advertisement or solicitation which is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(15) Being guilty of unethical conduct as defined in the code of conduct as adopted by the committee and filed with the secretary of state;

(16) Engaging in conversion therapy with a minor. For purposes of this subdivision, the term “conversion therapy” means any practices or treatments that seek to change an individual’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. “Conversion therapy” shall not include counseling that provides assistance to a person undergoing gender transition or counseling that provides acceptance, support, and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual’s sexual orientation or gender identity.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee

1 may, singly or in combination, censure or place the person named in the complaint on probation on
2 such terms and conditions as the department deems appropriate for a period not to exceed five years,
3 or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.";
4 and

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6 Further amend said bill, Page 10, Section 337.510, Line 56, by inserting immediately after said
7 section and line the following:
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9 "337.525. 1. The committee may refuse to issue or renew any license required by the
10 provisions of sections 337.500 to 337.540 for one or any combination of causes stated in subsection
11 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal
12 and shall advise the applicant of his right to file a complaint with the administrative hearing
13 commission as provided by chapter 621.

14 2. The committee may cause a complaint to be filed with the administrative hearing
15 commission as provided by chapter 621 against any holder of any license required by sections
16 337.500 to 337.540 or any person who has failed to renew or has surrendered his license for any one
17 or any combination of the following causes:

18 (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an
19 extent that such use impairs a person's ability to engage in the occupation of professional counselor;

20 (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or
21 nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for
22 any offense reasonably related to the qualifications, functions or duties of a professional counselor;
23 for any offense an essential element of which is fraud, dishonesty or an act of violence; or for any
24 offense involving moral turpitude, whether or not sentence is imposed;

25 (3) Use of fraud, deception, misrepresentation or bribery in securing any license issued
26 pursuant to the provisions of sections 337.500 to 337.540 or in obtaining permission to take any
27 examination given or required pursuant to the provisions of sections 337.500 to 337.540;

28 (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
29 fraud, deception or misrepresentation;

30 (5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of
31 the functions or duties of a professional counselor;

32 (6) Violation of, or assisting or enabling any person to violate, any provision of sections
33 337.500 to 337.540, or of any lawful rule or regulation adopted pursuant to sections 337.500 to
34 337.540;

35 (7) Impersonation of any person holding a license or allowing any person to use his or her
36 license or diploma from any school;

37 (8) Revocation or suspension of a license or other right to practice counseling granted by
38 another state, territory, federal agency or country upon grounds for which revocation or suspension
39 is authorized in this state;

40 (9) A person is finally adjudged incapacitated by a court of competent jurisdiction;

41 (10) Assisting or enabling any person to practice or offer to practice professional counseling
42 who is not licensed and currently eligible to practice under the provisions of sections 337.500 to
43 337.540;

44 (11) Issuance of a license based upon a material mistake of fact;

45 (12) Failure to display a valid license if so required by sections 337.500 to 337.540 or any
46 rule promulgated hereunder;

47 (13) Violation of any professional trust or confidence;

48 (14) Use of any advertisement or solicitation which is false, misleading or deceptive to the

1 general public or persons to whom the advertisement or solicitation is primarily directed;

2 (15) Being guilty of unethical conduct as defined in the ethical standards for counselors
3 adopted by the division and filed with the secretary of state;

4 (16) Engaging in conversion therapy with a minor. For purposes of this subdivision, the
5 term "conversion therapy" means any practices or treatments that seek to change an individual's
6 sexual orientation or gender identity, including efforts to change behaviors or gender expressions or
7 to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same
8 gender. "Conversion therapy" shall not include counseling that provides assistance to a person
9 undergoing gender transition or counseling that provides acceptance, support, and understanding of
10 a person or facilitates a person's coping, social support, and identity exploration and development,
11 including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe
12 sexual practices, as long as such counseling does not seek to change an individual's sexual
13 orientation or gender identity.

14 3. Any person, organization, association or corporation who reports or provides information
15 to the committee pursuant to the provisions of this chapter and who does so in good faith shall not
16 be subject to an action for civil damages as a result thereof.

17 4. After the filing of such complaint, the proceedings shall be conducted in accordance with
18 the provisions of chapter 621. Upon a finding by the administrative hearing commission that the
19 grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may
20 censure or place the person named in the complaint on probation on such terms and conditions as
21 the committee deems appropriate for a period not to exceed five years, or may suspend, for a period
22 not to exceed three years, or revoke the license."; and

23
24 Further amend said bill, Page 11, Section 337.618, Line 11, by inserting immediately after said
25 section and line the following:

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27 "337.630. 1. The committee may refuse to issue or renew any license required by the
28 provisions of sections 337.600 to 337.689 for one or any combination of causes stated in subsection
29 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal
30 and shall advise the applicant of the applicant's right to file a complaint with the administrative
31 hearing commission as provided by chapter 621.

32 2. The committee may cause a complaint to be filed with the administrative hearing
33 commission as provided by chapter 621 against any holder of any license required by sections
34 337.600 to 337.689 or any person who has failed to renew or has surrendered the person's license
35 for any one or any combination of the following causes:

36 (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an
37 extent that such use impairs a person's ability to engage in the occupation of social work licensed
38 under this chapter; except that the fact that a person has undergone treatment for past substance or
39 alcohol abuse and/or has participated in a recovery program, shall not by itself be cause for refusal
40 to issue or renew a license;

41 (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or
42 nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States,
43 for any offense reasonably related to the qualifications, functions or duties of a social worker
44 licensed under this chapter; for any offense an essential element of which is fraud, dishonesty or an
45 act of violence; or for any offense involving moral turpitude, whether or not sentence is imposed;

46 (3) Use of fraud, deception, misrepresentation or bribery in securing any license issued
47 pursuant to the provisions of sections 337.600 to 337.689 or in obtaining permission to take any
48 examination given or required pursuant to the provisions of sections 337.600 to 337.689;

1 (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
2 fraud, deception or misrepresentation;

3 (5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of
4 the functions or duties of a social worker licensed pursuant to this chapter;

5 (6) Violation of, or assisting or enabling any person to violate, any provision of sections
6 337.600 to 337.689, or of any lawful rule or regulation adopted pursuant to sections 337.600 to
7 337.689;

8 (7) Impersonation of any person holding a license or allowing any person to use the person's
9 license or diploma from any school;

10 (8) Revocation or suspension of a license or other right to practice social work licensed
11 pursuant to this chapter granted by another state, territory, federal agency or country upon grounds
12 for which revocation or suspension is authorized in this state;

13 (9) Final adjudication as incapacitated by a court of competent jurisdiction;

14 (10) Assisting or enabling any person to practice or offer to practice social work licensed
15 pursuant to this chapter who is not licensed and currently eligible to practice pursuant to the
16 provisions of sections 337.600 to 337.689;

17 (11) Obtaining a license based upon a material mistake of fact;

18 (12) Failure to display a valid license if so required by sections 337.600 to 337.689 or any
19 rule promulgated hereunder;

20 (13) Violation of any professional trust or confidence;

21 (14) Use of any advertisement or solicitation which is false, misleading or deceptive to the
22 general public or persons to whom the advertisement or solicitation is primarily directed;

23 (15) Being guilty of unethical conduct as defined in the ethical standards for clinical social
24 workers adopted by the committee by rule and filed with the secretary of state;

25 (16) Engaging in conversion therapy with a minor. For purposes of this subdivision, the
26 term "conversion therapy" means any practices or treatments that seek to change an individual's
27 sexual orientation or gender identity, including efforts to change behaviors or gender expressions or
28 to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same
29 gender. "Conversion therapy" shall not include counseling that provides assistance to a person
30 undergoing gender transition or counseling that provides acceptance, support, and understanding of
31 a person or facilitates a person's coping, social support, and identity exploration and development,
32 including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe
33 sexual practices, as long as such counseling does not seek to change an individual's sexual
34 orientation or gender identity.

35 3. Any person, organization, association or corporation who reports or provides information
36 to the committee pursuant to the provisions of sections 337.600 to 337.689 and who does so in good
37 faith shall not be subject to an action for civil damages as a result thereof.

38 4. After the filing of such complaint, the proceedings shall be conducted in accordance with
39 the provisions of chapter 621. Upon a finding by the administrative hearing commission that the
40 grounds, provided in subsection 2 of this section, for disciplinary action are met, the committee may
41 censure or place the person named in the complaint on probation on such terms and conditions as
42 the committee deems appropriate for a period not to exceed five years, or may suspend, for a period
43 not to exceed three years, or revoke the license."; and

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45 Further amend said bill, Page 13, Section 337.718, Line 14, by inserting after said section and line
46 the following:

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48 "337.730. 1. The committee may refuse to issue or renew any license required by the

1 provisions of sections 337.700 to 337.739 for one or any combination of causes stated in subsection
2 2 of this section. The committee shall notify the applicant in writing of the reasons for the refusal
3 and shall advise the applicant of the applicant's right to file a complaint with the administrative
4 hearing commission as provided by chapter 621.

5 2. The committee may cause a complaint to be filed with the administrative hearing
6 commission as provided by chapter 621 against any holder of any license required by sections
7 337.700 to 337.739 or any person who has failed to renew or has surrendered the person's license
8 for any one or any combination of the following causes:

9 (1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an
10 extent that such use impairs a person's ability to engage in the occupation of marital and family
11 therapist; except the fact that a person has undergone treatment for past substance or alcohol abuse
12 or has participated in a recovery program, shall not by itself be cause for refusal to issue or renew a
13 license;

14 (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty in a
15 criminal prosecution under the laws of any state or of the United States, for any offense reasonably
16 related to the qualifications, functions or duties of a marital and family therapist; for any offense an
17 essential element of which is fraud, dishonesty or an act of violence; or for any offense involving
18 moral turpitude, whether or not sentence is imposed;

19 (3) Use of fraud, deception, misrepresentation or bribery in securing any license issued
20 pursuant to the provisions of sections 337.700 to 337.739 or in obtaining permission to take any
21 examination given or required pursuant to the provisions of sections 337.700 to 337.739;

22 (4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by
23 fraud, deception or misrepresentation;

24 (5) Incompetency, misconduct, fraud, misrepresentation or dishonesty in the performance of
25 the functions or duties of a marital and family therapist;

26 (6) Violation of, or assisting or enabling any person to violate, any provision of sections
27 337.700 to 337.739 or of any lawful rule or regulation adopted pursuant to sections 337.700 to
28 337.739;

29 (7) Impersonation of any person holding a license or allowing any person to use the person's
30 license or diploma from any school;

31 (8) Revocation or suspension of a license or other right to practice marital and family
32 therapy granted by another state, territory, federal agency or country upon grounds for which
33 revocation or suspension is authorized in this state;

34 (9) Final adjudication as incapacitated by a court of competent jurisdiction;

35 (10) Assisting or enabling any person to practice or offer to practice marital and family
36 therapy who is not licensed and is not currently eligible to practice under the provisions of sections
37 337.700 to 337.739;

38 (11) Obtaining a license based upon a material mistake of fact;

39 (12) Failure to display a valid license if so required by sections 337.700 to 337.739 or any
40 rule promulgated hereunder;

41 (13) Violation of any professional trust or confidence;

42 (14) Use of any advertisement or solicitation which is false, misleading or deceptive to the
43 general public or persons to whom the advertisement or solicitation is primarily directed;

44 (15) Being guilty of unethical conduct as defined in the ethical standards for marital and
45 family therapists adopted by the committee by rule and filed with the secretary of state;

46 (16) Engaging in conversion therapy with a minor. For purposes of this subdivision, the
47 term "conversion therapy" means any practices or treatments that seek to change an individual's
48 sexual orientation or gender identity, including efforts to change behaviors or gender expressions or

1 to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same
2 gender. "Conversion therapy" shall not include counseling that provides assistance to a person
3 undergoing gender transition or counseling that provides acceptance, support, and understanding of
4 a person or facilitates a person's coping, social support, and identity exploration and development,
5 including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe
6 sexual practices, as long as such counseling does not seek to change an individual's sexual
7 orientation or gender identity.

8 3. Any person, organization, association or corporation who reports or provides information
9 to the committee under sections 337.700 to 337.739 and who does so in good faith shall not be
10 subject to an action for civil damages as a result thereof.

11 4. After filing of such complaint, the proceedings shall be conducted in accordance with the
12 provisions of chapter 621. Upon a finding by the administrative hearing commission that the
13 grounds provided in subsection 2 of this section for disciplinary action are met, the division may
14 censure or place the person named in the complaint on probation on such terms and conditions as
15 the committee deems appropriate for a period not to exceed five years, or may suspend for a period
16 not to exceed three years, or revoke the license."; and
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18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.