

SECOND REGULAR SESSION

# HOUSE BILL NO. 2434

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COLEMAN.

5115H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 337.507 and 337.510, RSMo, and to enact in lieu thereof two new sections relating to professional counselors.

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

Section A. Sections 337.507 and 337.510, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 337.507 and 337.510, to read as follows:

337.507. 1. Applications for examination and licensure as a professional counselor  
2 shall be in writing, submitted to the division on forms prescribed by the division and  
3 furnished to the applicant. The form shall include a statement that the applicant has  
4 completed two hours of suicide assessment, referral, treatment, and management training.  
5 The application shall contain the applicant's statements showing his education, experience  
6 and such other information as the division may require. Each application shall contain a  
7 statement that it is made under oath or affirmation and that the information contained therein  
8 is true and correct to the best knowledge and belief of the applicant, subject to the penalties  
9 provided for the making of a false affidavit or declaration. Each application shall be  
10 accompanied by the fees required by the committee. **Within fifteen business days of receipt  
11 of an application, the division shall provide electronic access for applicants to view any  
12 missing information or documentation. Applicants may send the requested information  
13 or documentation to the division electronically, except that the division may require  
14 specific submission processes for documentation related to signatures, transcripts,  
15 background checks, and test results. An application shall be considered a complete  
16 application once the division has received all required information and documentation.**

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.

17           2. The division shall mail a renewal notice to the last known address of each licensee  
18 prior to the registration renewal date. Failure to provide the division with the information  
19 required for registration, or to pay the registration fee after such notice shall result in the  
20 expiration of the license. The license shall be restored if, within two years of the registration  
21 date, the applicant provides written application and the payment of the registration fee and a  
22 delinquency fee.

23           3. A new certificate to replace any certificate lost, destroyed or mutilated may be  
24 issued subject to the rules of the committee, upon payment of a fee.

25           4. The committee shall set the amount of the fees which sections 337.500 to 337.540  
26 authorize and require by rules and regulations promulgated pursuant to section 536.021. The  
27 fees shall be set at a level to produce revenue which shall not substantially exceed the cost  
28 and expense of administering the provisions of sections 337.500 to 337.540. All fees  
29 provided for in sections 337.500 to 337.540 shall be collected by the director who shall  
30 deposit the same with the state treasurer in a fund to be known as the "Committee of  
31 Professional Counselors Fund".

32           5. The provisions of section 33.080 to the contrary notwithstanding, money in this  
33 fund shall not be transferred and placed to the credit of general revenue until the amount in  
34 the fund at the end of the biennium exceeds two times the amount of the appropriation from  
35 the committee's fund for the preceding fiscal year or, if the committee requires by rule  
36 renewal less frequently than yearly then three times the appropriation from the committee's  
37 fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that  
38 amount in the fund which exceeds the appropriate multiple of the appropriations from the  
39 committee's fund for the preceding fiscal year.

40           6. The committee shall hold public examinations at least two times per year, at such  
41 times and places as may be fixed by the committee, notice of such examinations to be given to  
42 each applicant at least ten days prior thereto.

337.510. 1. As used in this section, the following terms mean:

2           (1) "License", a license, certificate, registration, permit, accreditation, or military  
3 occupational specialty that enables a person to legally practice an occupation or profession in  
4 a particular jurisdiction;

5           (2) "Military", the Armed Forces of the United States, including the Air Force, Army,  
6 Coast Guard, Marine Corps, Navy, Space Force, National Guard and any other military  
7 branch that is designated by Congress as part of the Armed Forces of the United States, and  
8 all reserve components and auxiliaries. Such term also includes the military reserves and  
9 militia of any United States territory or state;

10           (3) "Nonresident military spouse", a nonresident spouse of an active duty member of  
11 the Armed Forces of the United States who has been transferred or is scheduled to be

12 transferred to the state of Missouri, or who has been transferred or is scheduled to be  
13 transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has  
14 moved to the state of Missouri on a permanent change-of-station basis;

15 (4) "Resident military spouse", a spouse of an active duty member of the Armed  
16 Forces of the United States who has been transferred or is scheduled to be transferred to the  
17 state of Missouri or an adjacent state and who is a permanent resident of the state of Missouri,  
18 who is domiciled in the state of Missouri, or who has Missouri as his or her home of record.

19 2. Each applicant for licensure as a professional counselor shall furnish evidence to  
20 the committee that the applicant is at least eighteen years of age, is a United States citizen or  
21 is legally present in the United States; and

22 (1) The applicant has completed a course of study as defined by the board rule leading  
23 to a master's, specialist's, or doctoral degree with a major in counseling, except any applicant  
24 who has held a license as a professional counselor in this state or currently holds a license as a  
25 professional counselor in another state shall not be required to have completed any courses  
26 related to career development; and

27 (2) The applicant has completed acceptable supervised counseling as defined by  
28 board rule. If the applicant has a master's degree with a major in counseling as defined by  
29 board rule, the applicant shall complete at least two years of acceptable supervised counseling  
30 experience subsequent to the receipt of the master's degree. The composition and number of  
31 hours comprising the acceptable supervised counseling experience shall be defined by board  
32 rule. An applicant may substitute thirty semester hours of post master's graduate study for  
33 one of the two required years of acceptable supervised counseling experience if such hours  
34 are clearly related to counseling;

35 (3) After August 28, 2007, each applicant shall have completed a minimum of three  
36 hours of graduate level coursework in diagnostic systems either in the curriculum leading to a  
37 degree or as post master's graduate level course work;

38 (4) Upon examination, the applicant is possessed of requisite knowledge of the  
39 profession, including techniques and applications, research and its interpretation, and  
40 professional affairs and ethics.

41 3. (1) Any person who holds a valid current professional counselor license issued by  
42 another state, a branch or unit of the military, a territory of the United States, or the District of  
43 Columbia, and who has been licensed for at least one year in such other jurisdiction, may  
44 submit an application for a professional counselor license in Missouri along with proof of  
45 current licensure and proof of licensure for at least one year in the other jurisdiction, to the  
46 committee.

47 (2) The committee shall:

48 (a) Within six months of receiving an application described in subdivision (1) of this  
49 subsection, waive any examination, educational, or experience requirements for licensure in  
50 this state for the applicant if it determines that there were minimum education requirements  
51 and, if applicable, work experience and clinical supervision requirements in effect and the  
52 other state and jurisdiction verifies that the person met those requirements in order to be  
53 licensed or certified in that state and jurisdiction. The committee may require an applicant to  
54 take and pass an examination specific to the laws of this state; or

55 (b) Within thirty days of receiving an application described in subdivision (1) of this  
56 subsection from a nonresident military spouse or a resident military spouse, waive any  
57 examination, educational, or experience requirements for licensure in this state for the  
58 applicant and issue such applicant a license under this subsection if such applicant otherwise  
59 meets the requirements of this subsection and section.

60 (3) (a) The committee shall not waive any examination, educational, or experience  
61 requirements for any applicant who has had his or her license revoked by a committee outside  
62 the state; who is currently under investigation, who has a complaint pending, or who is  
63 currently under disciplinary action, except as provided in paragraph (b) of this subdivision,  
64 with a committee outside the state; who does not hold a license in good standing with a  
65 committee outside the state; who has a criminal record that would disqualify him or her for  
66 licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on  
67 the date the committee receives his or her application under this subsection and section.

68 (b) If another jurisdiction has taken disciplinary action against an applicant, the  
69 committee shall determine if the cause for the action was corrected and the matter resolved.  
70 If the matter has not been resolved by that jurisdiction, the committee may deny a license  
71 until the matter is resolved.

72 (4) Nothing in this subsection shall prohibit the committee from denying a license to  
73 an applicant under this subsection for any reason described in section 337.525.

74 (5) Any person who is licensed under the provisions of this subsection shall be  
75 subject to the committee's jurisdiction and all rules and regulations pertaining to the practice  
76 as a licensed professional counselor in this state.

77 (6) This subsection shall not be construed to waive any requirement for an applicant  
78 to pay any fees.

79 4. The committee shall issue a license to each person who files an application and fee  
80 and who furnishes evidence satisfactory to the committee that the applicant has complied with  
81 the provisions of this act and has taken and passed a written, open-book examination on  
82 Missouri laws and regulations governing the practice of professional counseling as defined in  
83 section 337.500. The division shall issue a provisional professional counselor license to any  
84 applicant who meets all requirements of this section, but who has not completed the required

85 acceptable supervised counseling experience and such applicant may reapply for licensure as  
86 a professional counselor upon completion of such acceptable supervised counseling  
87 experience.

88 **5. (1) The division shall issue a provisional professional counselor license within**  
89 **fifteen business days of receipt of a completed application, as described in section**  
90 **337.507, to an applicant who meets the requirements of this section and holds a graduate**  
91 **degree accredited by the Council for Accreditation of Counseling and Related**  
92 **Educational Programs, Counseling on Rehabilitation Education, Incorporated, or**  
93 **their successor organizations. The license number shall be made available to the**  
94 **applicant electronically.**

95 **(2) Such license shall be valid until the application is reviewed by the committee.**  
96 **If the application is rejected by the committee, the license shall terminate immediately.**  
97 **If the application is approved by the committee, the license shall remain in effect until**  
98 **the termination date under 20 CSR 2095-2.005.**

99 **(3) The division may refuse to issue a provisional professional counselor license**  
100 **through the expedited process described in this subsection to an applicant who has a**  
101 **criminal record that could disqualify him or her from licensure in this state, who has**  
102 **had his or her license denied or revoked in any state, or who is currently under**  
103 **investigation, has a complaint pending, or is under disciplinary action in any state.**

104 **6.** All persons licensed to practice professional counseling in this state shall pay on or  
105 before the license renewal date a renewal license fee and shall furnish to the committee  
106 satisfactory evidence of the completion of the requisite number of hours of continuing  
107 education as required by rule, including two hours of suicide assessment, referral, treatment,  
108 and management training, which shall be no more than forty hours biennially. The continuing  
109 education requirements may be waived by the committee upon presentation to the committee  
110 of satisfactory evidence of the illness of the licensee or for other good cause.

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