

HCS HB 1800 -- CRIMINAL BACKGROUND CHECKS

SPONSOR: Copeland

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Professional Registration and Licensing by a vote of 8 to 0. Voted "Do Pass" by the Standing Committee on Rules-Regulatory Oversight by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for HB 1800.

This bill modifies provisions related to criminal background checks.

This bill specifies that, if an application for a license or permit requires a fingerprint submission, the applicant must submit his or her fingerprint to the State Highway Patrol (MSHP) for the purpose of undergoing State and Federal criminal background check. The following boards, commissions, departments, divisions, and committees are listed in the bill:

(1) The State Board of Education, for applicants seeking certificates to teach or substitute teach in public schools and as otherwise required by law;

(2) The Department of Health and Senior Services, for applicants seeking licensure as an emergency medical technician, an advanced emergency medical technician, or a paramedic, or seeking certification as an emergency medical technician-community paramedic;

(3) The Medicaid Audit and Compliance Unit of the Department of Social Services, for a provider seeking to be enrolled as a MO HealthNet provider for the purpose of providing MO HealthNet services;

(4) The State Committee of Interpreters, for applicants seeking licensure as an interpreter or seeking temporary license to practice as an interpreter;

(5) The Department of Revenue, for applicants seeking licensure as a new motor vehicle franchise dealer, used motor vehicle dealer, powersport dealer, wholesale motor vehicle dealer, motor vehicle dealer, public motor vehicle auction, recreational motor vehicle dealer, trailer dealer, boat dealer, manufacturer, or boat manufacturer;

- (6) The Division of Alcohol and Tobacco Control, for applicants seeking a liquor license or permit;
- (7) The Missouri Board of Occupational Therapy, for applicants seeking licensure as an occupational therapist or occupational therapy assistant;
- (8) The State Board of Registration for the Healing Arts, for applicants seeking licensure as a clinical perfusionist or provisional licensed clinical perfusionist, and for applicants seeking a permanent, temporary, or limited license as a physician or assistant physician, and applicants seeking licensure as an anesthesiologist assistant or a temporary license to practice as an anesthesiologist assistant, and for applicants seeking permanent or temporary license as a physical therapist or physical therapist assistant, and applicants seeking licensure as an athletic trainer, and for applicants seeking a license or temporary license as a physician assistant, and applicants seeking a license or provisional license as an audiologist, an audiology aide, a speech-language pathologist, a speech-language pathology aide, or a speech-language pathology assistant;
- (9) The Board of Therapeutic Massage, for applicants seeking a license, provisional license, or student license as a massage therapist;
- (10) The State Board of Chiropractic Examiners, for applicants seeking licensure as an acupuncturist or to practice chiropractic;
- (11) The Board of Private Investigator and Private Fire Investigator Examiners, for applicants seeking licensure as a private investigator or private fire investigator;
- (12) The State Board of Accountancy, for applicants seeking licensure as a certified public accountant or seeking permit for a certified public accounting firm;
- (13) The State Board of Podiatric Medicine, for applicants seeking a permanent or temporary license to practice podiatric medicine or seeking a permanent podiatric medicine license with ankle certification;
- (14) The Missouri Dental Board, for applicants seeking licensure as a dentist, a dental specialist, a volunteer dentist, a temporary dentist, a dental hygienist, or a volunteer dental hygienist, or for applicants seeking a limited dental teaching license or a dental faculty permit;

(15) The Board for Respiratory Care, for applicants seeking licensure as a respiratory care practitioner, and applicants seeking an educational or temporary permit to practice respiratory care;

(16) The State Board of Nursing, for applicants seeking licensure to practice as a registered nurse, practical nurse, or advanced practice registered nurse, and for those seeking employment with the Board;

(17) The State Board of Optometry, for applicants seeking licensure as an optometrist;

(18) The State Committee of Psychologists, for applicants seeking licensure as a licensed psychologist or provisional licensed psychologist, or seeking a temporary license to practice as a psychologist, and applicants seeking licensure, provisional licensure, or temporary licensure as a behavior analyst or assistant behavior analyst;

(19) The Committee for Professional Counselors, for applicants seeking licensure as a licensed or provisional licensed professional counselor;

(20) The State Committee for Social Workers, for applicants seeking a license or temporary permit to practice as a licensed clinical social worker, licensed advanced macro social worker, master social worker, or licensed baccalaureate social worker;

(21) The State Committee of Marital and Family Therapists, for applicants seeking licensure or provisional licensure as a marital and family therapist;

(22) The Board of Pharmacy, for applicants seeking licensure to practice as a pharmacist or temporary pharmacist, an intern pharmacist, a wholesale drug distributor, third-party logistics provider, drug outsourcer, seeking a permit for the practice of pharmacy described in Section 338.220, RSMo, seeking a certificate of registration as a pharmacy technician, or seeking a permit for work as a wholesale drug distributor facility manager-in-charge, wholesale drug distributor facility manager or owner, or third-party logistics provider facility manager or owner;

(23) The Missouri Real Estate Commission, for applicants seeking licensure as a real estate broker, real estate salesperson, or real estate broker-salesperson;

(24) The Missouri Real Estate Appraisers Commission, for applicants seeking licensure or certification as a state-certified

residential real estate appraiser, residential appraiser trainee, general real estate appraiser, or general appraiser trainee, or a state-licensed real estate appraiser or appraiser trainee, or an appraisal management company or a controlling person of an appraisal management company;

(25) The Department of Commerce and Insurance, for applicants seeking a license, or renewal of license, as a general bail bond agent, a bail bond agent, or a surety recovery agent;

(26) The Division of Professional Registration, for applicants seeking licensure as an athlete agent;

(27) The Division of Finance, for applicants seeking licensure as a mortgage loan broker or mortgage loan originator;

(28) The Supreme Court of Missouri, for applicants seeking admission or reinstatement to the state bar for the purpose of licensure to practice law as attorneys and counselors in this state; and

(29) The Department of Natural Resources, for applicants seeking to be employed or to volunteer with the Department.

The fingerprints and any required fees will be sent to the MSHP central repository and will be forwarded to the Federal Bureau of Investigation. The MSHP will notify the respective agency, board, or other oversight body of their applicants' criminal history or lack thereof.

This bill is similar to SCS SB 875 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPONENTS:** Supporters say that we need this bill and it will bring our state into compliance with the FBI's background check requirements. We need to make sure we are doing complete background checks that show criminal histories in other states.

Testifying in person for the bill were Representative Copeland; Alexander R. Vivas, Missouri State Highway Patrol; and the Missouri Division of Professional Registration.

**OPPONENTS:** Those who oppose the bill say that this is a violation of our right to privacy. Applicants should not have to submit their fingerprints in order to have a profession.

Testifying in person against the bill was Armorvine.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.