

FIRST REGULAR SESSION  
[PERFECTED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 268**  
**103RD GENERAL ASSEMBLY**

0747H.02P

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To repeal sections 43.546, 210.487, 324.001, 324.009, 324.010, 332.081, 333.041, 333.042, 337.600, 337.604, 337.615, 337.627, 337.644, 337.645, 337.647, 339.845, 345.050, and 590.060, RSMo, and to enact in lieu thereof seventy-three new sections relating to professional registration.

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

Section A. Sections 43.546, 210.487, 324.001, 324.009, 324.010, 332.081, 333.041, 333.042, 337.600, 337.604, 337.615, 337.627, 337.644, 337.645, 337.647, 339.845, 345.050, and 590.060, RSMo, are repealed and seventy-three new sections enacted in lieu thereof, to be known as sections 43.546, 168.014, 190.106, 208.222, 209.324, 210.487, 301.551, 324.001, 324.009, 324.055, 324.129, 324.214, 324.218, 324.246, 324.263, 324.488, 324.1105, 324.1800, 324.1805, 324.1810, 324.1815, 324.1820, 324.1825, 324.1830, 324.1835, 324.1840, 324.1845, 324.1850, 324.1855, 324.1860, 324.1865, 326.257, 330.025, 331.025, 331.084, 332.015, 332.081, 333.041, 333.042, 334.015, 334.403, 334.501, 334.701, 334.739, 334.805, 335.022, 335.042, 336.025, 337.018, 337.308, 337.501, 337.600, 337.604, 337.605, 337.615, 337.627, 337.628, 337.644, 337.645, 337.647, 337.702, 338.052, 339.015, 339.510, 345.016, 345.050, 374.711, 436.225, 443.702, 476.802, 484.125, 590.060, and 640.011, to read as follows:

43.546. 1. Any state agency, board, or commission may require the fingerprinting of applicants in specified occupations or appointments within the state agency, board, or commission for the purpose of positive identification and receiving criminal history record information when determining an applicant's ability or fitness to serve in such occupation or appointment.

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.

6           2. In order to facilitate the criminal background check under subsection 1 of this  
7 section on any person employed or appointed by a state agency, board, or commission, [~~and in~~  
8 ~~accordance with section 43.543,~~] the applicant or employee shall submit a set of fingerprints  
9 collected under the standards determined by the Missouri highway patrol. The fingerprints  
10 and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol  
11 to be used to search the state criminal history repository and the fingerprints shall be  
12 forwarded to the Federal Bureau of Investigation for a national criminal background check  
13 under section 43.540. Notwithstanding the provisions of section 610.120 **to the contrary**, all  
14 records related to any criminal history information discovered shall be accessible and  
15 available to the state agency making the request.

**168.014. 1. The state board of education may require that fingerprint  
2 submissions be made as part of an application seeking a certificate of license to teach or  
3 substitute teach in public schools, as provided in sections 168.011, 168.021, and 168.036  
4 and as required by section 168.133.**

**5           2. If the state board of education requires that fingerprint submissions be made  
6 as part of such application, the state board of education shall require applicants to  
7 submit the fingerprints to the Missouri state highway patrol for the purpose of  
8 conducting a state and federal fingerprint-based criminal history background check.**

**9           3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri  
13 state highway patrol shall notify the state board of education of any criminal history  
14 record information or lack of criminal history record information discovered on the  
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
16 records related to any criminal history information discovered shall be accessible and  
17 available to the state board of education.**

**190.106. 1. The department of health and senior services may require that  
2 fingerprint submissions be made as part of an application seeking licensure as an  
3 emergency medical technician or "EMT", an advanced emergency medical technician  
4 or "AEMT", or a paramedic, and an application seeking certification as an emergency  
5 medical technician-community paramedic or "EMT-CP", as such terms are defined in  
6 section 190.100.**

**7           2. If the department of health and senior services requires that fingerprint  
8 submissions be made as part of such application, the department of health and senior  
9 services shall require applicants to submit the fingerprints to the Missouri state highway**

10 patrol for the purpose of conducting a state and federal fingerprint-based criminal  
11 history background check.

12         **3. The fingerprints and any required fees shall be sent to the Missouri state**  
13 **highway patrol's central repository. The fingerprints shall be used for searching the**  
14 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
15 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
16 **state highway patrol shall notify the department of health and senior services of any**  
17 **criminal history record information or lack of criminal history record information**  
18 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**  
19 **contrary, all records related to any criminal history information discovered shall be**  
20 **accessible and available to the department of health and senior services.**

**208.222. 1. The Missouri Medicaid audit and compliance unit within the**  
2 **department of social services may require that fingerprint submissions be made as part**  
3 **of an application seeking to be licensed as a MO HealthNet provider for the purpose of**  
4 **providing MO HealthNet services to eligible persons and obtaining from the department**  
5 **of social services or its divisions reimbursement for eligible services.**

6         **2. If the Missouri Medicaid audit and compliance unit within the department of**  
7 **social services requires that fingerprint submissions be made as part of such application,**  
8 **the Missouri Medicaid audit and compliance unit within the department of social**  
9 **services shall require applicants to submit the fingerprints to the Missouri state highway**  
10 **patrol for the purpose of conducting a state and federal fingerprint-based criminal**  
11 **history background check.**

12         **3. The fingerprints and any required fees shall be sent to the Missouri state**  
13 **highway patrol's central repository. The fingerprints shall be used for searching the**  
14 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
15 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
16 **state highway patrol shall notify the Missouri Medicaid audit and compliance unit**  
17 **within the department of social services of any criminal history record information or**  
18 **lack of criminal history record information discovered on the individual.**  
19 **Notwithstanding the provisions of section 610.120 to the contrary, all records related**  
20 **to any criminal history information discovered shall be accessible and available to the**  
21 **Missouri Medicaid audit and compliance unit within the department of social services.**

22         **4. For purposes of this section, the following terms mean:**

23         **(1) "MO HealthNet provider", an individual or business that enters into a**  
24 **contractor provider agreement with the department of social services or its divisions for**  
25 **the purpose of providing services to eligible persons and obtaining from the department**  
26 **of social services or its divisions reimbursement for such services;**

27           (2) "MO HealthNet services", medical services defined and determined by the  
28 department of social services or listed specifically in section 208.152 in which eligible  
29 persons receive as part of their Missouri Medicaid coverage.

          209.324. 1. The state committee of interpreters may require that fingerprint  
2 submissions be made as part of an application seeking licensure as an interpreter, as  
3 such term is defined in section 209.285, and temporary interpreter, as provided in  
4 section 209.326.

5           2. If the state committee of interpreters requires that fingerprint submissions be  
6 made as part of such application, the state committee of interpreters shall require  
7 applicants to submit the fingerprints to the Missouri state highway patrol for the  
8 purpose of conducting a state and federal fingerprint-based criminal history  
9 background check.

10          3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the committee of any criminal history record  
15 information or lack of criminal history record information discovered on the individual.  
16 Notwithstanding the provisions of section 610.120 to the contrary, all records related to  
17 any criminal history information discovered shall be accessible and available to the  
18 committee.

          210.487. 1. The children's division of the department of social services may  
2 require fingerprint submissions to the Missouri state highway patrol for the purpose of  
3 conducting a state and federal fingerprint-based criminal background check. When  
4 conducting investigations of persons for the purpose of foster parent licensing, the children's  
5 division shall:

6           (1) Conduct a search for all persons over the age of ~~[seventeen]~~ **eighteen** in the  
7 applicant's household and for any child less than ~~[seventeen]~~ **eighteen** years of age residing in  
8 the applicant's home who the division has determined has been certified as an adult for the  
9 commission of a crime for evidence of full orders of protection. The office of state courts  
10 administrator shall allow access to the automated court information system by the division.  
11 The clerk of each court contacted by the division shall provide the division information within  
12 ten days of a request;

13          (2) Obtain fingerprints for any person over the age of ~~[seventeen]~~ **eighteen** in the  
14 applicant's household and for any child less than ~~[seventeen]~~ **eighteen** years of age residing in  
15 the applicant's home who the division has determined has been certified as an adult for the  
16 commission of a crime ~~[in the same manner set forth in subsection 2 of section 210.482]~~. **The**

17 fingerprints and any required fees shall be sent to the Missouri state highway patrol's  
18 central repository. The fingerprints shall be used for searching the state criminal  
19 records repository and shall also be forwarded to the Federal Bureau of Investigation  
20 for a federal criminal records search under section 43.540. The Missouri state highway  
21 patrol shall notify the juvenile court or the division of any criminal history record  
22 information or lack of criminal history record information discovered on the individual.  
23 Notwithstanding the provisions of section 610.120 to the contrary, all records related to  
24 any criminal history information discovered shall be accessible and available to the  
25 juvenile court or the division. The highway patrol shall assist the division and provide the  
26 criminal fingerprint background information, upon request, under and in accordance with the  
27 provisions of section 43.540; and

28 (3) Determine whether any person over the age of ~~[seventeen]~~ **eighteen** residing in  
29 the home and any child less than ~~[seventeen]~~ **eighteen** years of age residing in the applicant's  
30 home who the division has determined has been certified as an adult for the commission of a  
31 crime is listed on the child abuse and neglect registry. For any children less than ~~[seventeen]~~  
32 **eighteen** years of age residing in the applicant's home, the ~~[children's]~~ division shall inquire  
33 of the applicant whether any children less than ~~[seventeen]~~ **eighteen** years of age residing in  
34 the home have ever been certified as an adult and been convicted of or pled guilty or nolo  
35 contendere to any crime.

36 2. ~~[After the initial investigation is completed under subsection 1 of this section:~~

37 ~~(1) No person who submits fingerprints under subsection 1 of this section or section~~  
38 ~~210.482 shall be required to submit additional fingerprints under this section or section~~  
39 ~~210.482 unless the original fingerprints retained by the division are lost or destroyed;~~

40 ~~(2) The highway patrol shall provide ongoing electronic updates to criminal history~~  
41 ~~background checks of those persons previously submitted as part of the licensing or approval~~  
42 ~~process under subsection 1 of this section. Ongoing electronic updates for such persons and~~  
43 ~~for those in their households shall terminate when such persons cease to be applicant or~~  
44 ~~licensed foster parents; and~~

45 ~~(3) The children's division and the department of health and senior services may~~  
46 ~~waive the requirement for a fingerprint background check for any subsequent recertification.~~

47 ~~3.]~~ Subject to appropriation, the total cost of fingerprinting required by this section  
48 may be paid by the state, including reimbursement of persons incurring fingerprinting costs  
49 under this section.

50 ~~[4.]~~ **3.** The division may make arrangements with other executive branch agencies to  
51 obtain any investigative background information.

52 ~~[5.]~~ **4.** The division may promulgate rules that are necessary to implement the  
53 provisions of this section. Any rule or portion of a rule, as that term is defined in section

54 536.010, that is created under the authority delegated in this section shall become effective  
55 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
56 section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
57 vested with the general assembly pursuant to chapter 536 to review, to delay the effective  
58 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant  
59 of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be  
60 invalid and void.

**301.551. 1. The department of revenue may require that fingerprint submissions  
2 be made as part of an application seeking licensure for a new motor vehicle franchise  
3 dealer, used motor vehicle dealer, powersport dealer, wholesale motor vehicle dealer,  
4 motor vehicle dealer, public motor vehicle auction, recreational motor vehicle dealer,  
5 trailer dealer, boat dealer, manufacturer, or boat manufacturer, as such terms are  
6 defined in section 301.550.**

**7 2. If the department of revenue requires that fingerprint submissions be made as  
8 part of such application, the department of revenue shall require applicants to submit  
9 the fingerprints to the Missouri state highway patrol for the purpose of conducting a  
10 state and federal fingerprint-based criminal history background check.**

**11 3. The fingerprints and any required fees shall be sent to the Missouri state  
12 highway patrol's central repository. The fingerprints shall be used for searching the  
13 state criminal records repository and shall also be forwarded to the Federal Bureau of  
14 Investigation for a federal criminal records search under section 43.540. The Missouri  
15 state highway patrol shall notify the department of any criminal history record  
16 information or lack of criminal history record information discovered on the individual.  
17 Notwithstanding the provisions of section 610.120 to the contrary, all records related to  
18 any criminal history information discovered shall be accessible and available to the  
19 department.**

324.001. 1. For the purposes of this section, the following terms mean:

- 2 (1) "Department", the department of commerce and insurance;
- 3 (2) "Director", the director of the division of professional registration; and
- 4 (3) "Division", the division of professional registration.

5 2. There is hereby established a "Division of Professional Registration" assigned to  
6 the department of commerce and insurance as a type III transfer, headed by a director  
7 appointed by the governor with the advice and consent of the senate. All of the general  
8 provisions, definitions and powers enumerated in section 1 of the Omnibus State  
9 Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and  
10 its divisions, agencies, and personnel.

11           3. The director of the division of professional registration shall promulgate rules and  
12 regulations which designate for each board or commission assigned to the division the  
13 renewal date for licenses or certificates. After the initial establishment of renewal dates, no  
14 director of the division shall promulgate a rule or regulation which would change the renewal  
15 date for licenses or certificates if such change in renewal date would occur prior to the date on  
16 which the renewal date in effect at the time such new renewal date is specified next occurs.  
17 Each board or commission shall by rule or regulation establish licensing periods of one, two,  
18 or three years. Registration fees set by a board or commission shall be effective for the entire  
19 licensing period involved, and shall not be increased during any current licensing period.  
20 Persons who are required to pay their first registration fees shall be allowed to pay the pro rata  
21 share of such fees for the remainder of the period remaining at the time the fees are paid.  
22 Each board or commission shall provide the necessary forms for initial registration, and  
23 thereafter the director may prescribe standard forms for renewal of licenses and certificates.  
24 Each board or commission shall by rule and regulation require each applicant to provide the  
25 information which is required to keep the board's records current. Each board or commission  
26 shall have the authority to collect and analyze information required to support workforce  
27 planning and policy development. Such information shall not be publicly disclosed so as to  
28 identify a specific health care provider, as defined in section 376.1350. Each board or  
29 commission shall issue the original license or certificate.

30           4. The division shall provide clerical and other staff services relating to the issuance  
31 and renewal of licenses for all the professional licensing and regulating boards and  
32 commissions assigned to the division. The division shall perform the financial management  
33 and clerical functions as they each relate to issuance and renewal of licenses and certificates.  
34 "Issuance and renewal of licenses and certificates" means the ministerial function of  
35 preparing and delivering licenses or certificates, and obtaining material and information for  
36 the board or commission in connection with the renewal thereof to include verifying if the  
37 applicant has submitted all required documentation and that the documentation is legible. It  
38 does not include any discretionary authority with regard to the original review of an  
39 applicant's qualifications for licensure or certification, or the subsequent review of licensee's  
40 or certificate holder's qualifications, or any disciplinary action contemplated against the  
41 licensee or certificate holder. The division may develop and implement microfilming systems  
42 and automated or manual management information systems.

43           5. The director of the division shall maintain a system of accounting and budgeting, in  
44 cooperation with the director of the department, the office of administration, and the state  
45 auditor's office, to ensure proper charges are made to the various boards for services rendered  
46 to them. The general assembly shall appropriate to the division and other state agencies from

47 each board's funds moneys sufficient to reimburse the division and other state agencies for all  
48 services rendered and all facilities and supplies furnished to that board.

49         6. For accounting purposes, the appropriation to the division and to the office of  
50 administration for the payment of rent for quarters provided for the division shall be made  
51 from the "Professional Registration Fees Fund", which is hereby created, and is to be used  
52 solely for the purpose defined in subsection 5 of this section. The fund shall consist of  
53 moneys deposited into it from each board's fund. Each board shall contribute a prorated  
54 amount necessary to fund the division for services rendered and rent based upon the system of  
55 accounting and budgeting established by the director of the division as provided in subsection  
56 5 of this section. Transfers of funds to the professional registration fees fund shall be made by  
57 each board on July first of each year; provided, however, that the director of the division may  
58 establish an alternative date or dates of transfers at the request of any board. Such transfers  
59 shall be made until they equal the prorated amount for services rendered and rent by the  
60 division. The provisions of section 33.080 to the contrary notwithstanding, money in this  
61 fund shall not be transferred and placed to the credit of general revenue.

62         7. The director of the division shall be responsible for collecting and accounting for  
63 all moneys received by the division or its component agencies. Any money received by a  
64 board or commission shall be promptly given, identified by type and source, to the director.  
65 The director shall keep a record by board and state accounting system classification of the  
66 amount of revenue the director receives. The director shall promptly transmit all receipts to  
67 the department of revenue for deposit in the state treasury to the credit of the appropriate  
68 fund. The director shall provide each board with all relevant financial information in a timely  
69 fashion. Each board shall cooperate with the director by providing necessary information.

70         8. All educational transcripts, test scores, complaints, investigatory reports, and  
71 information pertaining to any person who is an applicant or licensee of any agency assigned  
72 to the division of professional registration by statute or by the department are confidential and  
73 may not be disclosed to the public or any member of the public, except with the written  
74 consent of the person whose records are involved. The agency which possesses the records or  
75 information shall disclose the records or information if the person whose records or  
76 information is involved has consented to the disclosure. Each agency is entitled to the  
77 attorney-client privilege and work-product privilege to the same extent as any other person.  
78 Provided, however, that any board may disclose confidential information without the consent  
79 of the person involved in the course of voluntary interstate exchange of information, or in the  
80 course of any litigation concerning that person, or pursuant to a lawful request, or to other  
81 administrative or law enforcement agencies acting within the scope of their statutory  
82 authority. Information regarding identity, including names and addresses, registration, and  
83 currency of the license of the persons possessing licenses to engage in a professional



84 occupation and the names and addresses of applicants for such licenses is not confidential  
85 information.

86           9. Any deliberations conducted and votes taken in rendering a final decision after a  
87 hearing before an agency assigned to the division shall be closed to the parties and the public.  
88 Once a final decision is rendered, that decision shall be made available to the parties and the  
89 public.

90           10. A compelling governmental interest shall be deemed to exist for the purposes of  
91 section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund  
92 balance of any agency assigned to the division of professional registration is reasonably  
93 expected to exceed an amount that would require transfer from that fund to general revenue.

94           11. (1) The following boards and commissions are assigned by specific type transfers  
95 to the division of professional registration: Missouri state board of accountancy, chapter 326;  
96 board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for  
97 architects, professional engineers, professional land surveyors and landscape architects,  
98 chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of  
99 registration for the healing arts, chapter 334; Missouri dental board, chapter 332; state board  
100 of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336;  
101 Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of  
102 podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and  
103 Missouri veterinary medical board, chapter 340. The governor shall appoint members of  
104 these boards by and with the advice and consent of the senate.

105           (2) The boards and commissions assigned to the division shall exercise all their  
106 respective statutory duties and powers, except those clerical and other staff services involving  
107 collecting and accounting for moneys and financial management relating to the issuance and  
108 renewal of licenses, which services shall be provided by the division, within the appropriation  
109 therefor. Nothing herein shall prohibit employment of professional examining or testing  
110 services from professional associations or others as required by the boards or commissions on  
111 contract. Nothing herein shall be construed to affect the power of a board or commission to  
112 expend its funds as appropriated. However, the division shall review the expense vouchers of  
113 each board. The results of such review shall be submitted to the board reviewed and to the  
114 house and senate appropriations committees annually.

115           (3) Notwithstanding any other provisions of law, the director of the division shall  
116 exercise only those management functions of the boards and commissions specifically  
117 provided in the Reorganization Act of 1974, and those relating to the allocation and  
118 assignment of space, personnel other than board personnel, and equipment.

119           (4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329,  
120 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose

121 functions and responsibilities are in areas not related to the clerical duties involving the  
122 issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial  
123 management relating to issuance and renewal of licenses; specifically included are executive  
124 secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and  
125 secretarial support staff for these positions; and such other positions as are established and  
126 authorized by statute for a particular board or commission. Boards and commissions may  
127 employ legal counsel, if authorized by law, and temporary personnel if the board is unable to  
128 meet its responsibilities with the employees authorized above. Any board or commission  
129 which hires temporary employees shall annually provide the division director and the  
130 appropriation committees of the general assembly with a complete list of all persons  
131 employed in the previous year, the length of their employment, the amount of their  
132 remuneration, and a description of their responsibilities.

133 (5) Board personnel for each board or commission shall be employed by and serve at  
134 the pleasure of the board or commission, shall be supervised as the board or commission  
135 designates, and shall have their duties and compensation prescribed by the board or  
136 commission, within appropriations for that purpose, except that compensation for board  
137 personnel shall not exceed that established for comparable positions as determined by the  
138 board or commission pursuant to the job and pay plan of the department of commerce and  
139 insurance. Nothing herein shall be construed to permit salaries for any board personnel to be  
140 lowered except by board action.

141 12. All the powers, duties, and functions of the division of athletics, chapter 317, and  
142 others, are assigned by type I transfer to the division of professional registration.

143 13. Wherever the laws, rules, or regulations of this state make reference to the  
144 division of professional registration of the department of economic development, such  
145 references shall be deemed to refer to the division of professional registration.

146 14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state  
147 committee of psychologists, state board of chiropractic examiners, state board of optometry,  
148 Missouri board of occupational therapy, or state board of registration for the healing arts may  
149 individually or collectively enter into a contractual agreement with the department of health  
150 and senior services, a public institution of higher education, or a nonprofit entity for the  
151 purpose of collecting and analyzing workforce data from its licensees, registrants, or permit  
152 holders for future workforce planning and to assess the accessibility and availability of  
153 qualified health care services and practitioners in Missouri. The boards shall work  
154 collaboratively with other state governmental entities to ensure coordination and avoid  
155 duplication of efforts.

156 (2) The boards may expend appropriated funds necessary for operational expenses of  
157 the program formed under this subsection. Each board is authorized to accept grants to fund

158 the collection or analysis authorized in this subsection. Any such funds shall be deposited in  
159 the respective board's fund.

160 (3) Data collection shall be controlled and approved by the applicable state board  
161 conducting or requesting the collection. Notwithstanding the provisions of ~~[sections 324.010~~  
162 ~~and] section 334.001~~, the boards may release identifying data to the contractor to facilitate  
163 data analysis of the health care workforce including, but not limited to, geographic,  
164 demographic, and practice or professional characteristics of licensees. The state board shall  
165 not request or be authorized to collect income or other financial earnings data.

166 (4) Data collected under this subsection shall be deemed the property of the state  
167 board requesting the data. Data shall be maintained by the state board in accordance with  
168 chapter 610, provided that any information deemed closed or confidential under subsection 8  
169 of this section or any other provision of state law shall not be disclosed without consent of the  
170 applicable licensee or entity or as otherwise authorized by law. Data shall only be released in  
171 an aggregate form by geography, profession or professional specialization, or population  
172 characteristic in a manner that cannot be used to identify a specific individual or entity. Data  
173 suppression standards shall be addressed and established in the contractual agreement.

174 (5) Contractors shall maintain the security and confidentiality of data received or  
175 collected under this subsection and shall not use, disclose, or release any data without  
176 approval of the applicable state board. The contractual agreement between the applicable  
177 state board and contractor shall establish a data release and research review policy to include  
178 legal and institutional review board, or agency-equivalent, approval.

179 (6) Each board may promulgate rules subject to the provisions of this subsection and  
180 chapter 536 to effectuate and implement the workforce data collection and analysis authorized  
181 by this subsection. Any rule or portion of a rule, as that term is defined in section 536.010,  
182 that is created under the authority delegated in this section shall become effective only if it  
183 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
184 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with  
185 the general assembly under chapter 536 to review, to delay the effective date, or to disapprove  
186 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
187 authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

324.009. 1. For purposes of this section, the following terms mean:

2 (1) "License", a license, certificate, registration, permit, accreditation, or military  
3 occupational speciality 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) **"Missouri law enforcement officer", any person employed by or otherwise**  
11 **servicing in a position for the state or a local governmental entity as a police officer, peace**  
12 **officer certified under chapter 590, auxiliary police officer, sheriff, sheriff's deputy,**  
13 **member of the patrol as that term is defined in section 43.010, or in some like position**  
14 **involving the enforcement of the law and protection of the public interest at the risk of**  
15 **that person's life and who is a permanent resident of the state of Missouri or who is**  
16 **domiciled in the state of Missouri;**

17 (4) **"Nonresident military or law enforcement spouse"[-]:**

18 (a) A nonresident spouse of an active duty member of the Armed Forces of the  
19 United States who has been transferred or is scheduled to be transferred to the state of  
20 Missouri, or who has been transferred or is scheduled to be transferred to an adjacent state  
21 and is or will be domiciled in the state of Missouri, or has moved to the state of Missouri on a  
22 permanent change-of-station basis; or

23 (b) **A nonresident spouse of a person residing outside the state who has accepted**  
24 **an offer of employment from the state or a local governmental entity in the state and**  
25 **who will become a Missouri law enforcement officer upon the commencement of such**  
26 **employment;**

27 [~~4~~] (5) **"Oversight body", any board, department, agency, or office of a jurisdiction**  
28 **that issues licenses;**

29 [~~5~~] (6) **"Resident military or law enforcement spouse", a spouse of an active duty**  
30 **member of the Armed Forces of the United States who has been transferred or is scheduled to**  
31 **be transferred to the state of Missouri or an adjacent state and who is a permanent resident of**  
32 **the state of Missouri, who is domiciled in the state of Missouri, or who has Missouri as his or**  
33 **her home of record or a spouse of a Missouri law enforcement officer.**

34 2. Any person who holds a valid current license issued by another state, a branch or  
35 unit of the military, a territory of the United States, or the District of Columbia, and who has  
36 been licensed for at least one year in such other jurisdiction, may submit an application for a  
37 license in Missouri in the same occupation or profession, and at the same practice level, for  
38 which he or she holds the current license, along with proof of current licensure and proof of  
39 licensure for at least one year in the other jurisdiction, to the relevant oversight body in this  
40 state.

41 3. The oversight body in this state shall:

42 (1) Within six months of receiving an application described in subsection 2 of this  
43 section, waive any examination, educational, or experience requirements for licensure in this  
44 state for the applicant if it determines that there were minimum education requirements and, if

45 applicable, work experience and clinical supervision requirements in effect and the other state  
46 verifies that the person met those requirements in order to be licensed or certified in that state.  
47 An oversight body that administers an examination on laws of this state as part of its licensing  
48 application requirement may require an applicant to take and pass an examination specific to  
49 the laws of this state; or

50 (2) Within thirty days of receiving an application described in subsection 2 of this  
51 section from a nonresident military **or law enforcement** spouse or a resident military **or law**  
52 **enforcement** spouse, waive any examination, educational, or experience requirements for  
53 licensure in this state for the applicant and issue such applicant a license under this section if  
54 such applicant otherwise meets the requirements of this section.

55 4. (1) The oversight body shall not waive any examination, educational, or  
56 experience requirements for any applicant who has had his or her license revoked by an  
57 oversight body outside the state; who is currently under investigation, who has a complaint  
58 pending, or who is currently under disciplinary action, except as provided in subdivision (2)  
59 of this subsection, with an oversight body outside the state; who does not hold a license in  
60 good standing with an oversight body outside the state; who has a criminal record that would  
61 disqualify him or her for licensure in Missouri; or who does not hold a valid current license in  
62 the other jurisdiction on the date the oversight body receives his or her application under this  
63 section.

64 (2) If another jurisdiction has taken disciplinary action against an applicant, the  
65 oversight body shall determine if the cause for the action was corrected and the matter  
66 resolved. If the matter has not been resolved by that jurisdiction, the oversight body may  
67 deny a license until the matter is resolved.

68 5. Nothing in this section shall prohibit the oversight body from denying a license to  
69 an applicant under this section for any reason described in any section associated with the  
70 occupation or profession for which the applicant seeks a license.

71 6. Any person who is licensed under the provisions of this section shall be subject to  
72 the applicable oversight body's jurisdiction and all rules and regulations pertaining to the  
73 practice of the licensed occupation or profession in this state.

74 7. This section shall not be construed to waive any requirement for an applicant to  
75 pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the  
76 license the applicant seeks.

77 8. This section shall not apply to business, professional, or occupational licenses  
78 issued or required by political subdivisions.

79 9. The provisions of this section shall not impede an oversight body's authority to  
80 require an applicant to submit fingerprints as part of the application process.

81           10. ~~[The provisions of this section shall not apply to an oversight body that has~~  
82 ~~entered into a licensing compact with another state for the regulation of practice under the~~  
83 ~~oversight body's jurisdiction.]~~ The provisions of this section shall not be construed to alter  
84 the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional  
85 or interstate compacts adopted by Missouri statute or any reciprocity agreements with other  
86 states in effect ~~[on August 28, 2018]~~, and whenever possible this section shall be interpreted  
87 so as to imply no conflict between it and any compact, or any reciprocity agreements with  
88 other states in effect ~~[on August 28, 2018]~~.

89           11. Notwithstanding any other provision of law, a license issued under this section  
90 shall be valid only in this state and shall not make a licensee eligible to be part of an interstate  
91 compact. An applicant who is licensed in another state pursuant to an interstate compact shall  
92 not be eligible for licensure by an oversight body under the provisions of this section.

93           12. The provisions of this section shall not apply to any occupation set forth in  
94 subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900  
95 to 324.945.

**324.055. 1. The Missouri board of occupational therapy may require that**  
2 **fingerprint submissions be made as part of an application seeking licensure as an**  
3 **occupational therapist or an occupational therapy assistant, or a limited permit to**  
4 **practice occupational therapy, as such terms are defined in section 324.050 and as**  
5 **provided in section 324.077.**

6           **2. If the Missouri board of occupational therapy requires that fingerprint**  
7 **submissions be made as part of such application, the Missouri board of occupational**  
8 **therapy shall require applicants to submit the fingerprints to the Missouri state highway**  
9 **patrol for the purpose of conducting a state and federal fingerprint-based criminal**  
10 **history background check.**

11           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
12 **highway patrol's central repository. The fingerprints shall be used for searching the**  
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
15 **state highway patrol shall notify the Missouri board of occupational therapy of any**  
16 **criminal history record information or lack of criminal history record information**  
17 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**  
18 **contrary, all records related to any criminal history information discovered shall be**  
19 **accessible and available to the Missouri board of occupational therapy.**

**324.129. 1. The state board of registration for the healing arts may require that**  
2 **fingerprint submissions be made as part of an application seeking licensure as a licensed**

3 clinical perfusionist and provisional clinical licensed perfusionist, as defined in section  
4 324.128.

5       2. If the state board of registration for the healing arts requires that fingerprint  
6 submissions be made as part of such application, the state board of registration for the  
7 healing arts shall require applicants to submit the fingerprints to the Missouri state  
8 highway patrol for the purpose of conducting a state and federal fingerprint-based  
9 criminal history background check.

10       3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the state board of registration for the healing arts of  
15 any criminal history record information or lack of criminal history record information  
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
17 contrary, all records related to any criminal history information discovered shall be  
18 accessible and available to the state board of registration for the healing arts.

324.214. 1. For purposes of this section, the following terms mean:

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

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

10       (3) "Nonresident military spouse", a nonresident spouse of an active-duty  
11 member of the Armed Forces of the United States who has been transferred or is  
12 scheduled to be transferred to the state of Missouri, or who has been transferred or is  
13 scheduled to be transferred to an adjacent state and is or will be domiciled in the state of  
14 Missouri, or has moved to the state of Missouri on a permanent change-of-station basis;

15       (4) "Oversight body", any board, department, agency, or office of a jurisdiction  
16 that issues licenses;

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

22           **2. Any person who holds a valid current dietitian license issued by another state,**  
23 **a branch or unit of the military, a territory of the United States, or the District of**  
24 **Columbia, and who has been licensed for at least one year in such other jurisdiction,**  
25 **may submit to the committee an application for a dietitian license in Missouri along with**  
26 **proof of current licensure and proof of licensure for at least one year in the other**  
27 **jurisdiction.**

28           **3. The committee shall:**

29           **(1) Within six months of receiving an application described in subsection 2 of**  
30 **this section, waive any examination, educational, or experience requirements for**  
31 **licensure in this state for the applicant if it determines that there were minimum**  
32 **education requirements and, if applicable, work experience and clinical supervision**  
33 **requirements in effect and the other jurisdiction verifies that the person met those**  
34 **requirements in order to be licensed or certified in that jurisdiction. The committee**  
35 **may require an applicant to take and pass an examination specific to the laws of this**  
36 **state; or**

37           **(2) Within thirty days of receiving an application described in subsection 2 of**  
38 **this section from a nonresident military spouse or a resident military spouse, waive any**  
39 **examination, educational, or experience requirements for licensure in this state for the**  
40 **applicant and issue such applicant a license under this section if such applicant**  
41 **otherwise meets the requirements of this section.**

42           **4. (1) The committee shall not waive any examination, educational, or**  
43 **experience requirements for any applicant who has had his or her license revoked by an**  
44 **oversight body outside the state; who is currently under investigation, who has a**  
45 **complaint pending, or who is currently under disciplinary action, except as provided in**  
46 **subdivision (2) of this subsection, with an oversight body outside the state; who does not**  
47 **hold a license in good standing with an oversight body outside the state; who has a**  
48 **criminal record that would disqualify him or her for licensure in Missouri; or who does**  
49 **not hold a valid current license in the other jurisdiction on the date the committee**  
50 **receives his or her application under this section.**

51           **(2) If another jurisdiction has taken disciplinary action against an applicant, the**  
52 **committee shall determine if the cause for the action was corrected and the matter**  
53 **resolved. If the matter has not been resolved by that jurisdiction, the committee may**  
54 **deny a license until the matter is resolved.**

55           **5. Nothing in this section shall prohibit the committee from denying a license to**  
56 **an applicant under this section for any reason described in section 324.217.**



57           **6. Any person who is licensed under the provisions of this section shall be subject**  
58 **to the committee's jurisdiction and all rules and regulations pertaining to the practice as**  
59 **a dietitian in this state.**

60           **7. This section shall not be construed to waive any requirement for an applicant**  
61 **to pay any fees.**

**324.218. 1. An applicant who has not previously taken or passed an examination**  
2 **recognized by the committee and who meets the qualifications of subsection 2 of section**  
3 **324.210 may obtain without examination a nonrenewable temporary license by paying a**  
4 **temporary-license fee and submitting to the committee an agreement-to-supervise form**  
5 **that is signed by a licensed dietitian who has agreed to supervise the applicant. Such**  
6 **temporary licensee may practice dietetics, but any such practice shall be under the**  
7 **supervision of a dietitian licensed in this state.**

8           **2. (1) Any dietitian who has agreed to supervise a temporary licensee shall hold**  
9 **an unencumbered license to practice dietetics in this state and shall provide the**  
10 **committee proof of active dietetics practice in this state for a minimum of one year**  
11 **before supervising the temporary licensee.**

12           **(2) The supervising dietitian shall not be an immediate family member of the**  
13 **temporary licensee. The committee shall define the term "immediate family member"**  
14 **for purposes of this subdivision and the scope of such supervision by rule.**

15           **3. (1) The dietitian who has agreed to supervise the applicant for a temporary**  
16 **license shall submit to the committee a signed and notarized form prescribed by the**  
17 **committee attesting that the applicant for a temporary license shall begin employment**  
18 **at a location in this state within seven days of issuance of the temporary license.**

19           **(2) If the temporary licensee's employment described in subdivision (1) of this**  
20 **subsection ceases, the supervising dietitian shall notify the committee within three days**  
21 **of such cessation.**

22           **4. A licensed dietitian shall not supervise more than one temporary licensee at a**  
23 **time.**

24           **5. The temporary license obtained by an applicant under this section shall expire**  
25 **the date the committee is notified by the supervising dietitian that the temporary**  
26 **licensee's employment has ceased or within one hundred eighty days of its issuance,**  
27 **whichever occurs first.**

**324.246. 1. The board of therapeutic massage may require that fingerprint**  
2 **submissions be made as part of an application seeking a license, provisional license, or**  
3 **student license as a massage therapist and a license as a massage business, as such terms**  
4 **are defined in section 324.240 and as provided in sections 324.247 and 324.265.**

5           **2. If the board of therapeutic massage requires that fingerprint submissions be**  
6 **made as part of such application, the board of therapeutic massage shall require**  
7 **applicants to submit the fingerprints to the Missouri state highway patrol for the**  
8 **purpose of conducting a state and federal fingerprint-based criminal history**  
9 **background check.**

10           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
11 **highway patrol's central repository. The fingerprints shall be used for searching the**  
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
14 **state highway patrol shall notify the board of therapeutic massage of any criminal**  
15 **history record information or lack of criminal history record information discovered on**  
16 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**  
17 **records related to any criminal history information discovered shall be accessible and**  
18 **available to the board of therapeutic massage.**

**324.263. 1. The board may apply to the administrative hearing commission for**  
2 **an emergency suspension or restriction of a license issued under sections 324.240 to**  
3 **324.275 if:**

4           **(1) The holder of the license is the subject of a pending criminal indictment,**  
5 **criminal information, or other criminal charge related to the duties and responsibilities**  
6 **of the licensed occupation; and**

7           **(2) There is reasonable cause for the board to believe that the public health,**  
8 **safety, or welfare is at imminent risk of harm from the holder of the license.**

9           **2. The board shall submit to the administrative hearing commission supporting**  
10 **affidavits and certified court records, together with a complaint alleging the facts in**  
11 **support of the board's request for an emergency suspension or restriction of a license,**  
12 **and shall supply the administrative hearing commission with the last home or business**  
13 **addresses on file with the board for the licensee. Within one business day of the filing of**  
14 **the complaint, the administrative hearing commission shall return a service packet to**  
15 **the board. The service packet shall include the board's complaint and any affidavits or**  
16 **records the board intends to rely on that have been filed with the administrative hearing**  
17 **commission. The service packet may contain other information in the discretion of the**  
18 **administrative hearing commission. Within twenty-four hours of receiving the packet,**  
19 **the board shall either personally serve the licensee the service packet or leave a copy of**  
20 **the service packet at all of the licensee's current addresses on file with the board.**

21           **3. Within five days of the board's filing of the complaint, the administrative**  
22 **hearing commission shall review the information submitted by the board and shall issue**  
23 **its findings of fact and conclusions of law. If the administrative hearing commission**

24 **finds that there is reasonable cause for the board to believe that the public health, safety,**  
25 **or welfare is at imminent risk of harm from the holder of the license, the administrative**  
26 **hearing commission shall enter the order requested by the board. The order shall be**  
27 **effective upon personal service or by leaving a copy at all of the licensee's current**  
28 **addresses on file with the board.**

29 **4. (1) The administrative hearing commission shall hold an evidentiary hearing**  
30 **on the record within forty-five days of the board's filing of the complaint, or upon final**  
31 **adjudication of any criminal charges filed against the licensee, as appropriate, to**  
32 **determine if cause for discipline exists under the provisions of sections 324.240 to**  
33 **324.275 and to determine whether the initial order entered by the commission shall**  
34 **continue in effect. Prior to the hearing, the licensee may file affidavits and certified**  
35 **court records for consideration by the administrative hearing commission. The**  
36 **administrative hearing commission may grant a request for a continuance but shall in**  
37 **any event hold the hearing within one hundred twenty days of the board's initial filing.**  
38 **The board shall be granted leave to amend its complaint if it is more than thirty days**  
39 **prior to the hearing, or within thirty days prior to the hearing upon a showing of good**  
40 **cause.**

41 **(2) If no cause for discipline is found following an evidentiary hearing, the**  
42 **administrative hearing commission shall issue findings of fact, conclusions of law, and**  
43 **an order terminating the commission's initial order imposing an emergency suspension**  
44 **or restriction of the license.**

45 **(3) If the administrative hearing commission finds cause for discipline following**  
46 **an evidentiary hearing, the commission shall issue findings of fact and conclusions of**  
47 **law and order the emergency suspension or restriction to remain in full force and effect**  
48 **pending a disciplinary hearing before the board. The board shall hold a hearing**  
49 **following the certification of the record by the administrative hearing commission and**  
50 **may impose discipline otherwise authorized by state law.**

51 **5. Any action under this section shall be in addition to and not in lieu of any**  
52 **discipline otherwise in the board's power to impose and may be brought concurrently**  
53 **with other actions.**

54 **6. If the administrative hearing commission does not grant an initial order**  
55 **imposing an emergency suspension or restriction of the license as described in**  
56 **subsection 3 of this section, the board shall remove all reference to such emergency**  
57 **suspension or restriction from its public records.**

**324.488. 1. The state board of chiropractic examiners may require that**  
2 **fingerprint submissions be made as part of an application seeking licensure as an**  
3 **acupuncturist, as such term is defined in section 324.475.**

4           2. If the state board of chiropractic examiners requires that fingerprint  
5 submissions be made as part of such application, the state board of chiropractic  
6 examiners shall require applicants to submit the fingerprints to the Missouri state  
7 highway patrol for the purpose of conducting a state and federal fingerprint-based  
8 criminal history background check.

9           3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri  
13 state highway patrol shall notify the state board of chiropractic examiners of any  
14 criminal history record information or lack of criminal history record information  
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
16 contrary, all records related to any criminal history information discovered shall be  
17 accessible and available to the state board of chiropractic examiners.

          324.1105. 1. The board of private investigator and private fire investigator  
2 examiners may require that fingerprint submissions be made as part of an application  
3 seeking licensure as a private investigator or private fire investigator or as an employee  
4 of a private investigator agency or private fire investigator agency, as such terms are  
5 defined in section 324.1100.

6           2. If the board of private investigator and private fire investigator examiners  
7 requires that fingerprint submissions be made as part of such application, the board of  
8 private investigator and private fire investigator examiners shall require applicants to  
9 submit the fingerprints to the Missouri state highway patrol for the purpose of  
10 conducting a state and federal fingerprint-based criminal history background check.

11           3. The fingerprints and any required fees shall be sent to the Missouri state  
12 highway patrol's central repository. The fingerprints shall be used for searching the  
13 state criminal records repository and shall also be forwarded to the Federal Bureau of  
14 Investigation for a federal criminal records search under section 43.540. The Missouri  
15 state highway patrol shall notify the board of private investigator and private fire  
16 investigator examiners of any criminal history record information or lack of criminal  
17 history record information discovered on the individual. Notwithstanding the  
18 provisions of section 610.120 to the contrary, all records related to any criminal  
19 history information discovered shall be accessible and available to the board of private  
20 investigator and private fire investigator examiners.

          324.1800. 1. Sections 324.1800 to 324.1865 shall be known and may be cited as  
2 the "Dietitian Licensure Compact".

3           **2. The purpose of this Compact is to facilitate interstate Practice of Dietetics**  
4 **with the goal of improving public access to dietetics services. This Compact preserves**  
5 **the regulatory authority of States to protect public health and safety through the**  
6 **current system of State licensure, while also providing for licensure portability through**  
7 **a Compact Privilege granted to qualifying professionals.**

8           **3. This Compact is designed to achieve the following objectives:**

- 9           **(1) Increase public access to dietetics services;**  
10           **(2) Provide opportunities for interstate practice by Licensed Dietitians who meet**  
11 **uniform requirements;**  
12           **(3) Eliminate the necessity for Licenses in multiple States;**  
13           **(4) Reduce administrative burden on Member States and Licensees;**  
14           **(5) Enhance the States' ability to protect the public's health and safety;**  
15           **(6) Encourage the cooperation of Member States in regulating multistate**  
16 **practice of Licensed Dietitians;**  
17           **(7) Support relocating Active Military Members and their spouses;**  
18           **(8) Enhance the exchange of licensure, investigative, and disciplinary**  
19 **information among Member States; and**  
20           **(9) Vest all Member States with the authority to hold a Licensed Dietitian**  
21 **accountable for meeting all State practice laws in the State in which the patient is**  
22 **located at the time care is rendered.**

**324.1805. As used in this Compact, and except as otherwise provided, the**  
2 **following definitions shall apply:**

3           **(1) "ACEND" means the Accreditation Council for Education in Nutrition and**  
4 **Dietetics or its successor organization.**

5           **(2) "Active Military Member" means any individual with full-time duty status in**  
6 **the active armed forces of the United States, including members of the National Guard**  
7 **and Reserve.**

8           **(3) "Adverse Action" means any administrative, civil, equitable or criminal**  
9 **action permitted by a State's laws which is imposed by a Licensing Authority or other**  
10 **authority against a Licensee, including actions against an individual's License or**  
11 **Compact Privilege such as revocation, suspension, probation, monitoring of the**  
12 **Licensee, limitation on the Licensee's practice, or any other Encumbrance on licensure**  
13 **affecting a Licensee's authorization to practice, including issuance of a cease and desist**  
14 **action.**

15           **(4) "Alternative Program" means a non-disciplinary monitoring or practice**  
16 **remediation process approved by a Licensing Authority.**

17           (5) "Charter Member State" means any Member State which enacted this  
18 Compact by law before the Effective Date specified in section 324.1855.

19           (6) "Continuing Education" means a requirement, as a condition of License  
20 renewal, to provide evidence of participation in, and completion of, educational and  
21 professional activities relevant to practice or area of work.

22           (7) "CDR" means the Commission on Dietetic Registration or its successor  
23 organization.

24           (8) "Compact Commission" means the government agency whose membership  
25 consists of all States that have enacted this Compact, which is known as the Dietitian  
26 Licensure Compact Commission, as described in section 324.1835, and which shall  
27 operate as an instrumentality of the Member States.

28           (9) "Compact Privilege" means a legal authorization, which is equivalent to a  
29 License, permitting the Practice of Dietetics in a Remote State.

30           (10) "Current Significant Investigative Information" means:

31           (a) Investigative Information that a Licensing Authority, after a preliminary  
32 inquiry that includes notification and an opportunity for the subject Licensee to  
33 respond, if required by State law, has reason to believe is not groundless and, if proved  
34 true, would indicate more than a minor infraction; or

35           (b) Investigative Information that indicates that the subject Licensee represents  
36 an immediate threat to public health and safety regardless of whether the subject  
37 Licensee has been notified and had an opportunity to respond.

38           (11) "Data System" means a repository of information about Licensees,  
39 including, but not limited to, Continuing Education, examination, licensure,  
40 investigative, Compact Privilege and Adverse Action information.

41           (12) "Encumbered License" means a License in which an Adverse Action  
42 restricts a Licensee's ability to practice dietetics.

43           (13) "Encumbrance" means a revocation or suspension of, or any limitation on a  
44 Licensee's full and unrestricted Practice of Dietetics by a Licensing Authority.

45           (14) "Executive Committee" means a group of delegates elected or appointed to  
46 act on behalf of, and within the powers granted to them by, this Compact, and the  
47 Compact Commission.

48           (15) "Home State" means the Member State that is the Licensee's primary State  
49 of residence or that has been designated pursuant to section 324.1825.

50           (16) "Investigative Information" means information, records, and documents  
51 received or generated by a Licensing Authority pursuant to an investigation.

52           **(17) "Jurisprudence Requirement" means an assessment of an individual's**  
53 **knowledge of the State laws and regulations governing the Practice of Dietetics in such**  
54 **State.**

55           **(18) "License" means an authorization from a Member State to either:**

56           **(a) Engage in the Practice of Dietetics (including medical nutrition therapy); or**

57           **(b) Use the title "dietitian," "licensed dietitian," "licensed dietitian nutritionist,"**  
58 **"certified dietitian," or other title describing a substantially similar practitioner as the**  
59 **Compact Commission may further define by Rule.**

60           **(19) "Licensee" or "Licensed Dietitian" means an individual who currently**  
61 **holds a License and who meets all of the requirements outlined in section 324.1815.**

62           **(20) "Licensing Authority" means the board or agency of a State, or equivalent,**  
63 **that is responsible for the licensing and regulation of the Practice of Dietetics.**

64           **(21) "Member State" means a State that has enacted the Compact.**

65           **(22) "Practice of Dietetics" means the synthesis and application of dietetics as**  
66 **defined by state law and regulations, primarily for the provision of nutrition care**  
67 **services, including medical nutrition therapy, in person or via telehealth, to prevent,**  
68 **manage, or treat diseases or medical conditions and promote wellness.**

69           **(23) "Registered Dietitian" means a person who:**

70           **(a) Has completed applicable education, experience, examination, and**  
71 **recertification requirements approved by CDR;**

72           **(b) Is credentialed by CDR as a registered dietitian or a registered dietitian**  
73 **nutritionist; and**

74           **(c) Is legally authorized to use the title registered dietitian or registered dietitian**  
75 **nutritionist and the corresponding abbreviations "RD" or "RDN."**

76           **(24) "Remote State" means a Member State other than the Home State, where a**  
77 **Licensee is exercising or seeking to exercise a Compact Privilege.**

78           **(25) "Rule" means a regulation promulgated by the Compact Commission that**  
79 **has the force of law.**

80           **(26) "Single State License" means a License issued by a Member State within**  
81 **the issuing State and does not include a Compact Privilege in any other Member State.**

82           **(27) "State" means any state, commonwealth, district, or territory of the United**  
83 **States of America.**

84           **(28) "Unencumbered License" means a License that authorizes a Licensee to**  
85 **engage in the full and unrestricted Practice of Dietetics.**

**324.1810. 1. To participate in the Compact, a State must currently:**

2           **(1) License and regulate the Practice of Dietetics; and**

3           **(2) Have a mechanism in place for receiving and investigating complaints about**  
4 **Licensees.**

5           **2. A Member State shall:**

6           **(1) Participate fully in the Compact Commission's Data System, including using**  
7 **the unique identifier as defined in Rules;**

8           **(2) Notify the Compact Commission, in compliance with the terms of the**  
9 **Compact and Rules, of any Adverse Action or the availability of Current Significant**  
10 **Investigative Information regarding a Licensee;**

11           **(3) Implement or utilize procedures for considering the criminal history record**  
12 **information of applicants for an initial Compact Privilege. These procedures shall**  
13 **include the submission of fingerprints or other biometric-based information by**  
14 **applicants for the purpose of obtaining an applicant's criminal history record**  
15 **information from the Federal Bureau of Investigation and the agency responsible for**  
16 **retaining that State's criminal records;**

17           **(a) A Member State must fully implement a criminal history record information**  
18 **requirement, within a time frame established by Rule, which includes receiving the**  
19 **results of the Federal Bureau of Investigation record search and shall use those results**  
20 **in determining Compact Privilege eligibility.**

21           **(b) Communication between a Member State and the Compact Commission or**  
22 **among Member States regarding the verification of eligibility for a Compact Privilege**  
23 **shall not include any information received from the Federal Bureau of Investigation**  
24 **relating to a federal criminal history record information check performed by a Member**  
25 **State;**

26           **(4) Comply with and enforce the Rules of the Compact Commission;**

27           **(5) Require an applicant for a Compact Privilege to obtain or retain a License in**  
28 **the Licensee's Home State and meet the Home State's qualifications for licensure or**  
29 **renewal of licensure, as well as all other applicable State laws; and**

30           **(6) Recognize a Compact Privilege granted to a Licensee who meets all of the**  
31 **requirements outlined in section 324.1815 in accordance with the terms of the Compact**  
32 **and Rules.**

33           **3. Member States may set and collect a fee for granting a Compact Privilege.**

34           **4. Individuals not residing in a Member State shall continue to be able to apply**  
35 **for a Member State's Single State License as provided under the laws of each Member**  
36 **State. However, the Single State License granted to these individuals shall not be**  
37 **recognized as granting a Compact Privilege to engage in the Practice of Dietetics in any**  
38 **other Member State.**



39           **5. Nothing in this Compact shall affect the requirements established by a**  
40 **Member State for the issuance of a Single State License.**

41           **6. At no point shall the Compact Commission have the power to define the**  
42 **requirements for the issuance of a Single State License to practice dietetics. The**  
43 **Member States shall retain sole jurisdiction over the provision of these requirements.**

**324.1815. 1. To exercise the Compact Privilege under the terms and provisions**  
2 **of the Compact, the Licensee shall:**

3           **(1) Satisfy one of the following:**

4           **(a) Hold a valid current registration that gives the applicant the right to use the**  
5 **term Registered Dietitian; or**

6           **(b) Complete all of the following:**

7           **a. An education program which is either:**

8           **b. A master's degree or doctoral degree that is programmatically accredited by:**

9           **i. ACEND; or**

10           **ii. A dietetics accrediting agency recognized by the United States Department of**  
11 **Education, which the Compact Commission may by Rule determine, and from a college**  
12 **or university accredited at the time of graduation by the appropriate regional**  
13 **accrediting agency recognized by the Council on Higher Education Accreditation and**  
14 **the United States Department of Education.**

15           **(i) An academic degree from a college or university in a foreign country**  
16 **equivalent to the degree described in item (i) that is programmatically accredited by:**

17           **i. ACEND; or**

18           **ii. A dietetics accrediting agency recognized by the United States Department of**  
19 **Education, which the Compact Commission may by Rule determine.**

20           **c. A planned, documented, supervised practice experience in dietetics that is**  
21 **programmatically accredited by:**

22           **(i) ACEND; or**

23           **(ii) A dietetics accrediting agency recognized by the United States Department of**  
24 **Education which the Compact Commission may by Rule determine and which involves**  
25 **at least 1000 hours of practice experience under the supervision of a Registered Dietitian**  
26 **or a Licensed Dietitian.**

27           **d. Successful completion of either:**

28           **(i) The Registration Examination for Dietitians administered by CDR; or**

29           **(ii) A national credentialing examination for dietitians approved by the Compact**  
30 **Commission by Rule; such completion being no more than five years prior to the date of**  
31 **the Licensee's application for initial licensure and accompanied by a period of**

32 continuous licensure thereafter, all of which may be further governed by the Rules of the  
33 Compact Commission;

34 (2) Hold an Unencumbered License in the Home State;

35 (3) Notify the Compact Commission that the Licensee is seeking a Compact  
36 Privilege within a Remote State or States;

37 (4) Pay any applicable fees, including any State fee, for the Compact Privilege;

38 (5) Meet any Jurisprudence Requirements established by the Remote State or  
39 States in which the Licensee is seeking a Compact Privilege; and

40 (6) Report to the Compact Commission any Adverse Action, Encumbrance, or  
41 restriction on a License taken by any non-Member State within 30 days from the date  
42 the action is taken.

43 2. The Compact Privilege is valid until the expiration date of the Home State  
44 License. To maintain a Compact Privilege, renewal of the Compact Privilege shall be  
45 congruent with the renewal of the Home State License as the Compact Commission may  
46 define by Rule. The Licensee must comply with the requirements of subsection 1 of this  
47 section to maintain the Compact Privilege in the Remote State or States.

48 3. A Licensee exercising a Compact Privilege shall adhere to the laws and  
49 regulations of the Remote State. Licensees shall be responsible for educating themselves  
50 on, and complying with, any and all State laws relating to the Practice of Dietetics in  
51 such Remote State.

52 4. Notwithstanding anything to the contrary provided in this Compact or State  
53 law, a Licensee exercising a Compact Privilege shall not be required to complete  
54 Continuing Education Requirements required by a Remote State. A Licensee exercising  
55 a Compact Privilege is only required to meet any Continuing Education Requirements  
56 as required by the Home State.

324.1820. 1. A Licensee may hold a Home State License, which allows for a  
2 Compact Privilege in other Member States, in only one Member State at a time.

3 2. If a Licensee changes Home State by moving between two Member States:

4 (1) The Licensee shall file an application for obtaining a new Home State License  
5 based on a Compact Privilege, pay all applicable fees, and notify the current and new  
6 Home State in accordance with the Rules of the Compact Commission.

7 (2) Upon receipt of an application for obtaining a new Home State License by  
8 virtue of a Compact Privilege, the new Home State shall verify that the Licensee meets  
9 the criteria in section 324.1815 via the Data System, and require that the Licensee  
10 complete the following:

11 (a) Federal Bureau of Investigation fingerprint based criminal history record  
12 information check;

13           **(b) Any other criminal history record information required by the new Home**  
14 **State; and**

15           **(c) Any Jurisprudence Requirements of the new Home State.**

16           **(3) The former Home State shall convert the former Home State License into a**  
17 **Compact Privilege once the new Home State has activated the new Home State License**  
18 **in accordance with applicable Rules adopted by the Compact Commission.**

19           **(4) Notwithstanding any other provision of this Compact, if the Licensee cannot**  
20 **meet the criteria in section 324.1815, the new Home State may apply its requirements**  
21 **for issuing a new Single State License.**

22           **(5) The Licensee shall pay all applicable fees to the new Home State in order to**  
23 **be issued a new Home State License.**

24           **3. If a Licensee changes their State of residence by moving from a Member State**  
25 **to a non-Member State, or from a non-Member State to a Member State, the State**  
26 **criteria shall apply for issuance of a Single State License in the new State.**

27           **4. Nothing in this Compact shall interfere with a Licensee's ability to hold a**  
28 **Single State License in multiple States; however, for the purposes of this Compact, a**  
29 **Licensee shall have only one Home State License.**

30           **5. Nothing in this Compact shall affect the requirements established by a**  
31 **Member State for the issuance of a Single State License.**

**324.1825. An Active Military Member, or their spouse, shall designate a Home**  
2 **State where the individual has a current License in good standing. The individual may**  
3 **retain the Home State designation during the period the service member is on active**  
4 **duty.**

**324.1830. 1. In addition to the other powers conferred by State law, a Remote**  
2 **State shall have the authority, in accordance with existing State due process law, to:**

3           **(1) Take Adverse Action against a Licensee's Compact Privilege within that**  
4 **Member State; and**

5           **(2) Issue subpoenas for both hearings and investigations that require the**  
6 **attendance and testimony of witnesses as well as the production of evidence. Subpoenas**  
7 **issued by a Licensing Authority in a Member State for the attendance and testimony of**  
8 **witnesses or the production of evidence from another Member State shall be enforced in**  
9 **the latter State by any court of competent jurisdiction, according to the practice and**  
10 **procedure applicable to subpoenas issued in proceedings pending before that court. The**  
11 **issuing authority shall pay any witness fees, travel expenses, mileage, and other fees**  
12 **required by the service statutes of the State in which the witnesses or evidence are**  
13 **located.**

14           **2. Only the Home State shall have the power to take Adverse Action against a**  
15 **Licensee's Home State License.**

16           **3. For purposes of taking Adverse Action, the Home State shall give the same**  
17 **priority and effect to reported conduct received from a Member State as it would if the**  
18 **conduct had occurred within the Home State. In so doing, the Home State shall apply**  
19 **its own State laws to determine appropriate action.**

20           **4. The Home State shall complete any pending investigations of a Licensee who**  
21 **changes Home States during the course of the investigations. The Home State shall also**  
22 **have authority to take appropriate action or actions and shall promptly report the**  
23 **conclusions of the investigations to the administrator of the Data System. The**  
24 **administrator of the Data System shall promptly notify the new Home State of any**  
25 **Adverse Actions.**

26           **5. A Member State, if otherwise permitted by State law, may recover from the**  
27 **affected Licensee the costs of investigations and dispositions of cases resulting from any**  
28 **Adverse Action taken against that Licensee.**

29           **6. A Member State may take Adverse Action based on the factual findings of**  
30 **another Remote State, provided that the Member State follows its own procedures for**  
31 **taking the Adverse Action.**

32           **7. (1) In addition to the authority granted to a Member State by its respective**  
33 **State law, any Member State may participate with other Member States in joint**  
34 **investigations of Licensees.**

35           **(2) Member States shall share any investigative, litigation, or compliance**  
36 **materials in furtherance of any joint investigation initiated under the Compact.**

37           **8. If Adverse Action is taken by the Home State against a Licensee's Home State**  
38 **License resulting in an Encumbrance on the Home State License, the Licensee's**  
39 **Compact Privilege or Privileges in all other Member States shall be revoked until all**  
40 **Encumbrances have been removed from the Home State License. All Home State**  
41 **disciplinary orders that impose Adverse Action against a Licensee shall include a**  
42 **statement that the Licensee's Compact Privileges are revoked in all Member States**  
43 **during the pendency of the order.**

44           **9. Once an Encumbered License in the Home State is restored to an**  
45 **Unencumbered License (as certified by the Home State's Licensing Authority), the**  
46 **Licensee must meet the requirements of subsection 1 of section 324.1815 and follow the**  
47 **administrative requirements to reapply to obtain a Compact Privilege in any Remote**  
48 **State.**

49           **10. If a Member State takes Adverse Action, it shall promptly notify the**  
50 **administrator of the Data System. The administrator of the Data System shall promptly**  
51 **notify the other Member States of any Adverse Actions.**

52           **11. Nothing in this Compact shall override a Member State's decision that**  
53 **participation in an Alternative Program may be used in lieu of Adverse Action.**

**324.1835. 1. The Compact Member States hereby create and establish a joint**  
2 **government agency whose membership consists of all Member States that have enacted**  
3 **the Compact known as the Dietitian Licensure Compact Commission. The Compact**  
4 **Commission is an instrumentality of the Compact States acting jointly and not an**  
5 **instrumentality of any one State. The Compact Commission shall come into existence**  
6 **on or after the effective date of the Compact as set forth in section 324.1855.**

7           **2. (1) Each Member State shall have and be limited to one (1) delegate selected**  
8 **by that Member State's Licensing Authority.**

9           **(2) The delegate shall be the primary administrator of the Licensing Authority**  
10 **or their designee.**

11           **(3) The Compact Commission shall by Rule or bylaw establish a term of office**  
12 **for delegates and may by Rule or bylaw establish term limits.**

13           **(4) The Compact Commission may recommend removal or suspension of any**  
14 **delegate from office.**

15           **(5) A Member State's Licensing Authority shall fill any vacancy of its delegate**  
16 **occurring on the Compact Commission within 60 days of the vacancy.**

17           **(6) Each delegate shall be entitled to one vote on all matters before the Compact**  
18 **Commission requiring a vote by the delegates.**

19           **(7) Delegates shall meet and vote by such means as set forth in the bylaws. The**  
20 **bylaws may provide for delegates to meet and vote in-person or by telecommunication,**  
21 **video conference, or other means of communication.**

22           **(8) The Compact Commission shall meet at least once during each calendar year.**  
23 **Additional meetings may be held as set forth in the bylaws. The Compact Commission**  
24 **may meet in person or by telecommunication, video conference, or other means of**  
25 **communication.**

26           **3. The Compact Commission shall have the following powers:**

27           **(1) Establish the fiscal year of the Compact Commission;**

28           **(2) Establish code of conduct and conflict of interest policies;**

29           **(3) Establish and amend Rules and bylaws;**

30           **(4) Maintain its financial records in accordance with the bylaws;**

31           **(5) Meet and take such actions as are consistent with the provisions of this**  
32 **Compact, the Compact Commission's Rules, and the bylaws;**

33           **(6) Initiate and conclude legal proceedings or actions in the name of the**  
34 **Compact Commission, provided that the standing of any Licensing Authority to sue or**  
35 **be sued under applicable law shall not be affected;**

36           **(7) Maintain and certify records and information provided to a Member State as**  
37 **the authenticated business records of the Compact Commission, and designate an agent**  
38 **to do so on the Compact Commission's behalf;**

39           **(8) Purchase and maintain insurance and bonds;**

40           **(9) Borrow, accept, or contract for services of personnel, including, but not**  
41 **limited to, employees of a Member State;**

42           **(10) Conduct an annual financial review;**

43           **(11) Hire employees, elect or appoint officers, fix compensation, define duties,**  
44 **grant such individuals appropriate authority to carry out the purposes of the Compact,**  
45 **and establish the Compact Commission's personnel policies and programs relating to**  
46 **conflicts of interest, qualifications of personnel, and other related personnel matters;**

47           **(12) Assess and collect fees;**

48           **(13) Accept any and all appropriate donations, grants of money, other sources of**  
49 **revenue, equipment, supplies, materials, services, and gifts, and receive, utilize, and**  
50 **dispose of the same; provided that at all times the Compact Commission shall avoid any**  
51 **actual or appearance of impropriety or conflict of interest;**

52           **(14) Lease, purchase, retain, own, hold, improve, or use any property, real,**  
53 **personal, or mixed, or any undivided interest therein;**

54           **(15) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise**  
55 **dispose of any property real, personal, or mixed;**

56           **(16) Establish a budget and make expenditures;**

57           **(17) Borrow money;**

58           **(18) Appoint committees, including standing committees, composed of members,**  
59 **State regulators, State legislators or their representatives, and consumer**  
60 **representatives, and such other interested persons as may be designated in this**  
61 **Compact or the bylaws;**

62           **(19) Provide and receive information from, and cooperate with, law enforcement**  
63 **agencies;**

64           **(20) Establish and elect an Executive Committee, including a chair and a vice**  
65 **chair;**

66           **(21) Determine whether a State's adopted language is materially different from**  
67 **the model compact language such that the State would not qualify for participation in**  
68 **the Compact; and**

69           **(22) Perform such other functions as may be necessary or appropriate to achieve**  
70 **the purposes of this Compact.**

71           **4. (1) The Executive Committee shall have the power to act on behalf of the**  
72 **Compact Commission according to the terms of this Compact. The powers, duties, and**  
73 **responsibilities of the Executive Committee shall include:**

74           **(a) Oversee the day-to-day activities of the administration of the Compact**  
75 **including enforcement and compliance with the provisions of the Compact, its Rules and**  
76 **bylaws, and other such duties as deemed necessary;**

77           **(b) Recommend to the Compact Commission changes to the Rules or bylaws,**  
78 **changes to this Compact legislation, fees charged to Compact Member States, fees**  
79 **charged to Licensees, and other fees;**

80           **(c) Ensure Compact administration services are appropriately provided,**  
81 **including by contract;**

82           **(d) Prepare and recommend the budget;**

83           **(e) Maintain financial records on behalf of the Compact Commission;**

84           **(f) Monitor Compact compliance of Member States and provide compliance**  
85 **reports to the Compact Commission;**

86           **(g) Establish additional committees as necessary;**

87           **(h) Exercise the powers and duties of the Compact Commission during the**  
88 **interim between Compact Commission meetings, except for adopting or amending**  
89 **Rules, adopting or amending bylaws, and exercising any other powers and duties**  
90 **expressly reserved to the Compact Commission by Rule or bylaw; and**

91           **(i) Other duties as provided in the Rules or bylaws of the Compact Commission.**

92           **(2) The Executive Committee shall be composed of nine members:**

93           **(a) The chair and vice chair of the Compact Commission shall be voting**  
94 **members of the Executive Committee;**

95           **(b) Five voting members from the current membership of the Compact**  
96 **Commission, elected by the Compact Commission;**

97           **(c) One ex-officio, nonvoting member from a recognized professional association**  
98 **representing dietitians; and**

99           **(d) One ex-officio, nonvoting member from a recognized national credentialing**  
100 **organization for dietitians.**

101           **(3) The Compact Commission may remove any member of the Executive**  
102 **Committee as provided in the Compact Commission's bylaws.**

103           **(4) (a) The Executive Committee shall meet at least annually.**

104           **(b) Executive Committee meetings shall be open to the public, except that the**  
105 **Executive Committee may meet in a closed, non-public meeting as provided in**  
106 **subdivision (2) of subsection 6 of this section.**

107           **(c) The Executive Committee shall give 30 days' notice of its meetings, posted on**  
108 **the website of the Compact Commission and as determined to provide notice to persons**  
109 **with an interest in the business of the Compact Commission.**

110           **(d) The Executive Committee may hold a special meeting in accordance with**  
111 **paragraph (c) of subdivision (1) of subsection 6 of this section.**

112           **5. The Compact Commission shall adopt and provide to the Member States an**  
113 **annual report.**

114           **6. (1) (a) All meetings shall be open to the public, except that the Compact**  
115 **Commission may meet in a closed, non-public meeting as provided in subdivision (2) of**  
116 **this subsection.**

117           **(b) Public notice for all meetings of the full Compact Commission shall be given**  
118 **in the same manner as required under the rulemaking provisions in section 324.1845,**  
119 **except that the Compact Commission may hold a special meeting as provided in**  
120 **paragraph (c) of this subdivision.**

121           **(c) The Compact Commission may hold a special meeting when it must meet to**  
122 **conduct emergency business by giving 24 hours' notice to all Member States, on the**  
123 **Compact Commission's website, and other means as provided in the Compact**  
124 **Commission's Rules. The Compact Commission's legal counsel shall certify that the**  
125 **Compact Commission's need to meet qualifies as an emergency.**

126           **(2) The Compact Commission or the Executive Committee or other committees**  
127 **of the Compact Commission may convene in a closed, non-public meeting for the**  
128 **Compact Commission or Executive Committee or other committees of the Compact**  
129 **Commission to receive legal advice or to discuss:**

130           **(a) Non-compliance of a Member State with its obligations under the Compact;**

131           **(b) The employment, compensation, discipline, or other matters, practices, or**  
132 **procedures related to specific employees;**

133           **(c) Current or threatened discipline of a Licensee by the Compact Commission**  
134 **or by a Member State's Licensing Authority;**

135           **(d) Current, threatened, or reasonably anticipated litigation;**

136           **(e) Negotiation of contracts for the purchase, lease, or sale of goods, services, or**  
137 **real estate;**

138           **(f) Accusing any person of a crime or formally censuring any person;**

139           **(g) Trade secrets or commercial or financial information that is privileged or**  
140 **confidential;**



141           **(h) Information of a personal nature where disclosure would constitute a clearly**  
142 **unwarranted invasion of personal privacy;**

143           **(i) Investigative records compiled for law enforcement purposes;**

144           **(j) Information related to any investigative reports prepared by or on behalf of**  
145 **or for use of the Compact Commission or other committee charged with responsibility**  
146 **of investigation or determination of compliance issues pursuant to the Compact;**

147           **(k) Matters specifically exempted from disclosure by federal or Member State**  
148 **law; or**

149           **(l) Other matters as specified in the Rules of the Compact Commission.**

150           **(3) If a meeting, or portion of a meeting, is closed, the presiding officer shall state**  
151 **that the meeting will be closed and reference each relevant exempting provision, and**  
152 **such reference shall be recorded in the minutes.**

153           **(4) The Compact Commission shall keep minutes that fully and clearly describe**  
154 **all matters discussed in a meeting and shall provide a full and accurate summary of**  
155 **actions taken, and the reasons therefor, including a description of the views expressed.**  
156 **All documents considered in connection with an action shall be identified in such**  
157 **minutes. All minutes and documents of a closed meeting shall remain under seal,**  
158 **subject to release only by a majority vote of the Compact Commission or order of a**  
159 **court of competent jurisdiction.**

160           **7. (1) The Compact Commission shall pay, or provide for the payment of, the**  
161 **reasonable expenses of its establishment, organization, and ongoing activities.**

162           **(2) The Compact Commission may accept any and all appropriate revenue**  
163 **sources as provided in subdivision (13) of subsection 3 of this section.**

164           **(3) The Compact Commission may levy on and collect an annual assessment**  
165 **from each Member State and impose fees on Licensees of Member States to whom it**  
166 **grants a Compact Privilege to cover the cost of the operations and activities of the**  
167 **Compact Commission and its staff, which must, in a total amount, be sufficient to cover**  
168 **its annual budget as approved each year for which revenue is not provided by other**  
169 **sources. The aggregate annual assessment amount for Member States shall be allocated**  
170 **based upon a formula that the Compact Commission shall promulgate by Rule.**

171           **(4) The Compact Commission shall not incur obligations of any kind prior to**  
172 **securing the funds adequate to meet the same; nor shall the Compact Commission**  
173 **pledge the credit of any of the Member States, except by and with the authority of the**  
174 **Member State.**

175           **(5) The Compact Commission shall keep accurate accounts of all receipts and**  
176 **disbursements. The receipts and disbursements of the Compact Commission shall be**  
177 **subject to the financial review and accounting procedures established under its bylaws.**

178 **However, all receipts and disbursements of funds handled by the Compact Commission**  
179 **shall be subject to an annual financial review by a certified or licensed public**  
180 **accountant, and the report of the financial review shall be included in and become part**  
181 **of the annual report of the Compact Commission.**

182 **8. (1) The members, officers, executive director, employees and representatives**  
183 **of the Compact Commission shall be immune from suit and liability, both personally**  
184 **and in their official capacity, for any claim for damage to or loss of property or personal**  
185 **injury or other civil liability caused by or arising out of any actual or alleged act, error,**  
186 **or omission that occurred, or that the person against whom the claim is made had a**  
187 **reasonable basis for believing occurred within the scope of Compact Commission**  
188 **employment, duties, or responsibilities; provided that nothing in this subdivision shall**  
189 **be construed to protect any such person from suit or liability for any damage, loss,**  
190 **injury, or liability caused by the intentional or willful or wanton misconduct of that**  
191 **person. The procurement of insurance of any type by the Compact Commission shall**  
192 **not in any way compromise or limit the immunity granted hereunder.**

193 **(2) The Compact Commission shall defend any member, officer, executive**  
194 **director, employee, and representative of the Compact Commission in any civil action**  
195 **seeking to impose liability arising out of any actual or alleged act, error, or omission that**  
196 **occurred within the scope of Compact Commission employment, duties, or**  
197 **responsibilities, or as determined by the Compact Commission that the person**  
198 **against whom the claim is made had a reasonable basis for believing occurred within the**  
199 **scope of Compact Commission employment, duties, or responsibilities; provided that**  
200 **nothing herein shall be construed to prohibit that person from retaining their own**  
201 **counsel at their own expense; and provided further, that the actual or alleged act, error,**  
202 **or omission did not result from that person's intentional or willful or wanton**  
203 **misconduct.**

204 **(3) The Compact Commission shall indemnify and hold harmless any member,**  
205 **officer, executive director, employee, and representative of the Compact Commission for**  
206 **the amount of any settlement or judgment obtained against that person arising out of**  
207 **any actual or alleged act, error, or omission that occurred within the scope of Compact**  
208 **Commission employment, duties, or responsibilities, or that such person had a**  
209 **reasonable basis for believing occurred within the scope of Compact Commission**  
210 **employment, duties, or responsibilities, provided that the actual or alleged act, error, or**  
211 **omission did not result from the intentional or willful or wanton misconduct of that**  
212 **person.**

213 (4) Nothing herein shall be construed as a limitation on the liability of any  
214 Licensee for professional malpractice or misconduct, which shall be governed solely by  
215 any other applicable State laws.

216 (5) Nothing in this Compact shall be interpreted to waive or otherwise abrogate  
217 a Member State's state action immunity or state action affirmative defense with respect  
218 to antitrust claims under the Sherman Act, Clayton Act, or any other State or federal  
219 antitrust or anticompetitive law or regulation.

220 (6) Nothing in this Compact shall be construed to be a waiver of sovereign  
221 immunity by the Member States or by the Compact Commission.

324.1840. 1. The Compact Commission shall provide for the development,  
2 maintenance, operation, and utilization of a coordinated Data System.

3 2. The Compact Commission shall assign each applicant for a Compact Privilege  
4 a unique identifier, as determined by the Rules.

5 3. Notwithstanding any other provision of State law to the contrary, a Member  
6 State shall submit a uniform data set to the Data System on all individuals to whom this  
7 Compact is applicable as required by the Rules of the Compact Commission, including:

8 (1) Identifying information;

9 (2) Licensure data;

10 (3) Adverse Actions against a License or Compact Privilege and information  
11 related thereto;

12 (4) Non-confidential information related to Alternative Program participation,  
13 the beginning and ending dates of such participation, and other information related to  
14 such participation not made confidential under Member State law;

15 (5) Any denial of application for licensure, and the reason or reasons for such  
16 denial;

17 (6) The presence of Current Significant Investigative Information; and

18 (7) Other information that may facilitate the administration of this Compact or  
19 the protection of the public, as determined by the Rules of the Compact Commission.

20 4. The records and information provided to a Member State pursuant to this  
21 Compact or through the Data System, when certified by the Compact Commission or an  
22 agent thereof, shall constitute the authenticated business records of the Compact  
23 Commission, and shall be entitled to any associated hearsay exception in any relevant  
24 judicial, quasi-judicial, or administrative proceedings in a Member State.

25 5. Current Significant Investigative Information pertaining to a Licensee in any  
26 Member State will only be available to other Member States.

27 6. It is the responsibility of the Member States to report any Adverse Action  
28 against a Licensee and to monitor the Data System to determine whether any Adverse

29 **Action has been taken against a Licensee. Adverse Action information pertaining to a**  
30 **Licensee in any Member State will be available to any other Member State.**

31 **7. Member States contributing information to the Data System may designate**  
32 **information that may not be shared with the public without the express permission of**  
33 **the contributing State.**

34 **8. Any information submitted to the Data System that is subsequently expunged**  
35 **pursuant to federal law or the laws of the Member State contributing the information**  
36 **shall be removed from the Data System.**

**324.1845. 1. The Compact Commission shall promulgate reasonable Rules in**  
2 **order to effectively and efficiently implement and administer the purposes and**  
3 **provisions of the Compact. A Rule shall be invalid and have no force or effect only if a**  
4 **court of competent jurisdiction holds that the Rule is invalid because the Compact**  
5 **Commission exercised its rulemaking authority in a manner that is beyond the scope**  
6 **and purposes of the Compact, or the powers granted hereunder, or based upon another**  
7 **applicable standard of review.**

8 **2. The Rules of the Compact Commission shall have the force of law in each**  
9 **Member State, provided however that where the Rules conflict with the laws or**  
10 **regulations of a Member State that relate to the procedures, actions, and processes a**  
11 **Licensed Dietitian is permitted to undertake in that State and the circumstances under**  
12 **which they may do so, as held by a court of competent jurisdiction, the Rules of the**  
13 **Compact Commission shall be ineffective in that State to the extent of the conflict.**

14 **3. The Compact Commission shall exercise its rulemaking powers pursuant to**  
15 **the criteria set forth in this Section and the Rules adopted thereunder. Rules shall**  
16 **become binding on the day following adoption or as of the date specified in the Rule or**  
17 **amendment, whichever is later.**

18 **4. If a majority of the legislatures of the Member States rejects a Rule or portion**  
19 **of a Rule, by enactment of a statute or resolution in the same manner used to adopt the**  
20 **Compact within four (4) years of the date of adoption of the Rule, then such Rule shall**  
21 **have no further force and effect in any Member State.**

22 **5. Rules shall be adopted at a regular or special meeting of the Compact**  
23 **Commission.**

24 **6. Prior to adoption of a proposed Rule, the Compact Commission shall hold a**  
25 **public hearing and allow persons to provide oral and written comments, data, facts,**  
26 **opinions, and arguments.**

27 **7. Prior to adoption of a proposed Rule by the Compact Commission, and at**  
28 **least thirty (30) days in advance of the meeting at which the Compact Commission will**

29 hold a public hearing on the proposed Rule, the Compact Commission shall provide a  
30 Notice of Proposed rulemaking:

31 (1) On the website of the Compact Commission or other publicly accessible  
32 platform;

33 (2) To persons who have requested notice of the Compact Commission's notices  
34 of proposed rulemaking; and

35 (3) In such other way or ways as the Compact Commission may by Rule specify.

36 8. The Notice of Proposed rulemaking shall include:

37 (1) The time, date, and location of the public hearing at which the Compact  
38 Commission will hear public comments on the proposed Rule and, if different, the time,  
39 date, and location of the meeting where the Compact Commission will consider and vote  
40 on the proposed Rule;

41 (2) If the hearing is held via telecommunication, video conference, or other  
42 means of communication, the Compact Commission shall include the mechanism for  
43 access to the hearing in the Notice of Proposed rulemaking;

44 (3) The text of the proposed Rule and the reason therefor;

45 (4) A request for comments on the proposed Rule from any interested person;  
46 and

47 (5) The manner in which interested persons may submit written comments.

48 9. All hearings will be recorded. A copy of the recording and all written  
49 comments and documents received by the Compact Commission in response to the  
50 proposed Rule shall be available to the public.

51 10. Nothing in this Section shall be construed as requiring a separate hearing on  
52 each Rule. Rules may be grouped for the convenience of the Compact Commission at  
53 hearings required by this Section.

54 11. (1) The Compact Commission shall, by majority vote of all members, take  
55 final action on the proposed Rule based on the rulemaking record and the full text of the  
56 Rule.

57 (2) The Compact Commission may adopt changes to the proposed Rule provided  
58 the changes do not enlarge the original purpose of the proposed Rule.

59 (3) The Compact Commission shall provide an explanation of the reasons for  
60 substantive changes made to the proposed Rule as well as reasons for substantive  
61 changes not made that were recommended by commenters.

62 (4) The Compact Commission shall determine a reasonable effective date for the  
63 Rule. Except for an emergency as provided in subsection 12 of this section, the effective  
64 date of the Rule shall be no sooner than 30 days after issuing the notice that it adopted  
65 or amended the Rule.

66           **12. Upon determination that an emergency exists, the Compact Commission**  
67 **may consider and adopt an emergency Rule with 24 hours' notice, with opportunity to**  
68 **comment, provided that the usual rulemaking procedures provided in the Compact and**  
69 **in this Section shall be retroactively applied to the Rule as soon as reasonably possible,**  
70 **in no event later than ninety (90) days after the effective date of the Rule. For the**  
71 **purposes of this provision, an emergency Rule is one that must be adopted immediately**  
72 **in order to:**

- 73           **(1) Meet an imminent threat to public health, safety, or welfare;**  
74           **(2) Prevent a loss of Compact Commission or Member State funds;**  
75           **(3) Meet a deadline for the promulgation of a Rule that is established by federal**  
76 **law or rule; or**  
77           **(4) Protect public health and safety.**

78           **13. The Compact Commission or an authorized committee of the Compact**  
79 **Commission may direct revision to a previously adopted Rule for purposes of correcting**  
80 **typographical errors, errors in format, errors in consistency, or grammatical errors.**  
81 **Public notice of any revision shall be posted on the website of the Compact Commission.**  
82 **The revision shall be subject to challenge by any person for a period of thirty (30) days**  
83 **after posting. The revision may be challenged only on grounds that the revision results**  
84 **in a material change to a Rule. A challenge shall be made in writing and delivered to the**  
85 **Compact Commission prior to the end of the notice period. If no challenge is made, the**  
86 **revision will take effect without further action. If the revision is challenged, the revision**  
87 **may not take effect without the approval of the Compact Commission.**

88           **14. No Member State's rulemaking requirements shall apply under this**  
89 **Compact.**

**324.1850. 1. (1) The executive and judicial branches of State government in**  
2 **each Member State shall enforce this Compact and take all actions necessary and**  
3 **appropriate to implement this Compact.**

4           **(2) Except as otherwise provided in this Compact, venue is proper and judicial**  
5 **proceedings by or against the Compact Commission shall be brought solely and**  
6 **exclusively in a court of competent jurisdiction where the principal office of the**  
7 **Compact Commission is located. The Compact Commission may waive venue and**  
8 **jurisdictional defenses to the extent it adopts or consents to participate in alternative**  
9 **dispute resolution proceedings. Nothing herein shall affect or limit the selection or**  
10 **propriety of venue in any action against a Licensee for professional malpractice,**  
11 **misconduct, or any such similar matter.**

12           **(3) The Compact Commission shall be entitled to receive service of process in**  
13 **any proceeding regarding the enforcement or interpretation of the Compact and shall**

14 have standing to intervene in such a proceeding for all purposes. Failure to provide the  
15 Compact Commission service of process shall render a judgment or order void as to the  
16 Compact Commission, this Compact, or promulgated Rules.

17       2. (1) If the Compact Commission determines that a Member State has  
18 defaulted in the performance of its obligations or responsibilities under this Compact or  
19 the promulgated Rules, the Compact Commission shall provide written notice to the  
20 defaulting State. The notice of default shall describe the default, the proposed means of  
21 curing the default, and any other action that the Compact Commission may take and  
22 shall offer training and specific technical assistance regarding the default.

23       (2) The Compact Commission shall provide a copy of the notice of default to the  
24 other Member States.

25       3. If a State in default fails to cure the default, the defaulting State may be  
26 terminated from the Compact upon an affirmative vote of a majority of the delegates of  
27 the Member States, and all rights, privileges, and benefits conferred on that State by  
28 this Compact may be terminated on the effective date of termination. A cure of the  
29 default does not relieve the offending State of obligations or liabilities incurred during  
30 the period of default.

31       4. Termination of membership in the Compact shall be imposed only after all  
32 other means of securing compliance have been exhausted. Notice of intent to suspend or  
33 terminate shall be given by the Compact Commission to the governor, the majority and  
34 minority leaders of the defaulting State's legislature, the defaulting State's Licensing  
35 Authority, and each of the Member States' Licensing Authority.

36       5. A State that has been terminated is responsible for all assessments,  
37 obligations, and liabilities incurred through the effective date of termination, including  
38 obligations that extend beyond the effective date of termination.

39       6. Upon the termination of a State's membership from this Compact, that State  
40 shall immediately provide notice to all Licensees within that State of such termination.  
41 The terminated State shall continue to recognize all Compact Privileges granted  
42 pursuant to this Compact for a minimum of six months after the date of said notice of  
43 termination.

44       7. The Compact Commission shall not bear any costs related to a State that is  
45 found to be in default or that has been terminated from the Compact, unless agreed  
46 upon in writing between the Compact Commission and the defaulting State.

47       8. The defaulting State may appeal the action of the Compact Commission by  
48 petitioning the U.S. District Court for the District of Columbia or the federal district  
49 where the Compact Commission has its principal offices. The prevailing party shall be  
50 awarded all costs of such litigation, including reasonable attorney's fees.

51           **9. (1) Upon request by a Member State, the Compact Commission shall attempt**  
52 **to resolve disputes related to the Compact that arise among Member States and between**  
53 **Member and non-Member States.**

54           **(2) The Compact Commission shall promulgate a Rule providing for both**  
55 **mediation and binding dispute resolution for disputes as appropriate.**

56           **10. (1) By supermajority vote, the Compact Commission may initiate legal**  
57 **action against a Member State in default in the United States District Court for the**  
58 **District of Columbia or the federal district where the Compact Commission has its**  
59 **principal offices to enforce compliance with the provisions of the Compact and its**  
60 **promulgated Rules. The relief sought may include both injunctive relief and damages.**  
61 **In the event judicial enforcement is necessary, the prevailing party shall be awarded all**  
62 **costs of such litigation, including reasonable attorney's fees. The remedies herein shall**  
63 **not be the exclusive remedies of the Compact Commission. The Compact Commission**  
64 **may pursue any other remedies available under federal or the defaulting Member**  
65 **State's law.**

66           **(2) A Member State may initiate legal action against the Compact Commission**  
67 **in the U.S. District Court for the District of Columbia or the federal district where the**  
68 **Compact Commission has its principal offices to enforce compliance with the provisions**  
69 **of the Compact and its promulgated Rules. The relief sought may include both**  
70 **injunctive relief and damages. In the event judicial enforcement is necessary, the**  
71 **prevailing party shall be awarded all costs of such litigation, including reasonable**  
72 **attorney's fees.**

73           **(3) No party other than a Member State shall enforce this Compact against the**  
74 **Compact Commission.**

**324.1855. 1. (1) The Compact shall come into effect on the date on which the**  
2 **Compact statute is enacted into law in the seventh Member State.**

3           **(2) (a) On or after the effective date of the Compact, the Compact Commission**  
4 **shall convene and review the enactment of each of the first seven Member States**  
5 **("Charter Member States") to determine if the statute enacted by each such Charter**  
6 **Member State is materially different than the model Compact statute.**

7           **(b) A Charter Member State whose enactment is found to be materially different**  
8 **from the model Compact statute shall be entitled to the default process set forth in**  
9 **section 324.1850.**

10           **(c) If any Member State is later found to be in default, or is terminated, or**  
11 **withdraws from the Compact, the Compact Commission shall remain in existence and**  
12 **the Compact shall remain in effect even if the number of Member States should be less**  
13 **than seven.**



14           **(3) Member States enacting the Compact subsequent to the seven initial Charter**  
15 **Member States shall be subject to the process set forth in subdivision (21) of subsection**  
16 **3 of section 324.1835 to determine if their enactments are materially different from the**  
17 **model Compact statute and whether they qualify for participation in the Compact.**

18           **(4) All actions taken for the benefit of the Compact Commission or in**  
19 **furtherance of the purposes of the administration of the Compact prior to the effective**  
20 **date of the Compact or the Compact Commission coming into existence shall be**  
21 **considered to be actions of the Compact Commission unless specifically repudiated by**  
22 **the Compact Commission.**

23           **(5) Any State that joins the Compact subsequent to the Compact Commission's**  
24 **initial adoption of the Rules and bylaws shall be subject to the Rules and bylaws as they**  
25 **exist on the date on which the Compact becomes law in that State. Any Rule that has**  
26 **been previously adopted by the Compact Commission shall have the full force and effect**  
27 **of law on the day the Compact becomes law in that State.**

28           **2. (1) Any Member State may withdraw from this Compact by enacting a**  
29 **statute repealing the same.**

30           **(2) A Member State's withdrawal shall not take effect until 180 days after**  
31 **enactment of the repealing statute.**

32           **(3) Withdrawal shall not affect the continuing requirement of the withdrawing**  
33 **State's Licensing Authority to comply with the investigative and Adverse Action**  
34 **reporting requirements of this Compact prior to the effective date of withdrawal.**

35           **(4) Upon the enactment of a statute withdrawing from this Compact, a State**  
36 **shall immediately provide notice of such withdrawal to all Licensees within that State.**  
37 **Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing**  
38 **State shall continue to recognize all Compact Privileges granted pursuant to this**  
39 **Compact for a minimum of 180 days after the date of such notice of withdrawal.**

40           **3. Nothing contained in this Compact shall be construed to invalidate or prevent**  
41 **any licensure agreement or other cooperative arrangement between a Member State**  
42 **and a non-Member State that does not conflict with the provisions of this Compact.**

43           **4. This Compact may be amended by the Member States. No amendment to this**  
44 **Compact shall become effective and binding upon any Member State until it is enacted**  
45 **into the laws of all Member States.**

**324.1860. 1. This Compact and the Compact Commission's rulemaking**  
2 **authority shall be liberally construed so as to effectuate the purposes and the**  
3 **implementation and administration of the Compact. Provisions of the Compact**  
4 **expressly authorizing or requiring the promulgation of Rules shall not be construed to**  
5 **limit the Compact Commission's rulemaking authority solely for those purposes.**

6           2. The provisions of this Compact shall be severable and if any phrase, clause,  
7 sentence, or provision of this Compact is held by a court of competent jurisdiction to be  
8 contrary to the constitution of any Member State, a State seeking participation in the  
9 Compact, or of the United States, or the applicability thereof to any government,  
10 agency, person, or circumstance is held to be unconstitutional by a court of competent  
11 jurisdiction, the validity of the remainder of this Compact and the applicability thereof  
12 to any other government, agency, person, or circumstance shall not be affected thereby.

13           3. Notwithstanding subsection 2 of this section, the Compact Commission may  
14 deny a State's participation in the Compact or, in accordance with the requirements of  
15 subsection 2 of section 324.1850, terminate a Member State's participation in the  
16 Compact, if it determines that a constitutional requirement of a Member State is a  
17 material departure from the Compact. Otherwise, if this Compact shall be held to be  
18 contrary to the constitution of any Member State, the Compact shall remain in full force  
19 and effect as to the remaining Member States and in full force and effect as to the  
20 Member State affected as to all severable matters.

          324.1865. 1. Nothing herein shall prevent or inhibit the enforcement of any  
2 other law of a Member State that is not inconsistent with the Compact.

3           2. Any laws, statutes, regulations, or other legal requirements in a Member State  
4 in conflict with the Compact are superseded to the extent of the conflict.

5           3. All permissible agreements between the Compact Commission and the  
6 Member States are binding in accordance with their terms.

          326.257. 1. The Missouri state board of accountancy may require that  
2 fingerprint submissions be made as part of an application seeking licensure as a  
3 certified public accountant and a permit for a certified public accounting firm, as  
4 defined in section 326.256.

5           2. If the Missouri state board of accountancy requires that fingerprint  
6 submissions be made as part of such application, the Missouri state board of  
7 accountancy shall require applicants to submit the fingerprints to the Missouri state  
8 highway patrol for the purpose of conducting a state and federal fingerprint-based  
9 criminal history background check.

10           3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the Missouri state board of accountancy of any  
15 criminal history record information or lack of criminal history record information  
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the

17 contrary, all records related to any criminal history information discovered shall be  
18 accessible and available to the Missouri state board of accountancy.

330.025. 1. The state board of podiatric medicine may require that fingerprint  
2 submissions be made as part of an application seeking a permanent license or a  
3 temporary license to practice podiatric medicine, as provided in sections 330.045 and  
4 330.065, or a permanent podiatric medicine license with ankle certification, as such term  
5 is defined in subsection 4 of this section.

6 2. If the state board of podiatric medicine requires that fingerprint submissions  
7 be made as part of such application, the state board of podiatric medicine shall require  
8 applicants to submit the fingerprints to the Missouri state highway patrol for the  
9 purpose of conducting a state and federal fingerprint-based criminal history  
10 background check.

11 3. The fingerprints and any required fees shall be sent to the Missouri state  
12 highway patrol's central repository. The fingerprints shall be used for searching the  
13 state criminal records repository and shall also be forwarded to the Federal Bureau of  
14 Investigation for a federal criminal records search under section 43.540. The Missouri  
15 state highway patrol shall notify the state board of podiatric medicine of any criminal  
16 history record information or lack of criminal history record information discovered on  
17 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
18 records related to any criminal history information discovered shall be accessible and  
19 available to the state board of podiatric medicine.

20 4. For purposes of this section, the term "permanent podiatric medicine license  
21 with ankle certification" means a license issued to a doctor of podiatric medicine who  
22 has met the requirements for performing surgery on the ankle as provided in section  
23 330.010.

331.025. 1. The state board of chiropractic examiners may require that  
2 fingerprint submissions be made as part of an application seeking licensure to engage in  
3 the practice of chiropractic, as such term is defined in section 331.010.

4 2. If the state board of chiropractic examiners requires that fingerprint  
5 submissions be made as part of such application, the state board of chiropractic  
6 examiners shall require applicants to submit the fingerprints to the Missouri state  
7 highway patrol for the purpose of conducting a state and federal fingerprint-based  
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri

13 state highway patrol shall notify the state board of chiropractic examiners of any  
14 criminal history record information or lack of criminal history record information  
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
16 contrary, all records related to any criminal history information discovered shall be  
17 accessible and available to the state board of chiropractic examiners.

331.084. 1. The board may apply to the administrative hearing commission for  
2 an emergency suspension or restriction of a license issued under this chapter if:

3 (1) The holder of the license is the subject of a pending criminal indictment,  
4 criminal information, or other criminal charge related to the duties and responsibilities  
5 of the licensed occupation; and

6 (2) There is reasonable cause for the board to believe that the public health,  
7 safety, or welfare is at imminent risk of harm from the holder of the license.

8 2. The board shall submit to the administrative hearing commission supporting  
9 affidavits and certified court records, together with a complaint alleging the facts in  
10 support of the board's request for an emergency suspension or restriction of a license,  
11 and shall supply the administrative hearing commission with the last home or business  
12 addresses on file with the board for the licensee. Within one business day of the filing of  
13 the complaint, the administrative hearing commission shall return a service packet to  
14 the board. The service packet shall include the board's complaint and any affidavits or  
15 records the board intends to rely on that have been filed with the administrative hearing  
16 commission. The service packet may contain other information in the discretion of the  
17 administrative hearing commission. Within twenty-four hours of receiving the packet,  
18 the board shall either personally serve the licensee the service packet or leave a copy of  
19 the service packet at all of the licensee's current addresses on file with the board.

20 3. Within five days of the board's filing of the complaint, the administrative  
21 hearing commission shall review the information submitted by the board and shall issue  
22 its findings of fact and conclusions of law. If the administrative hearing commission  
23 finds that there is reasonable cause for the board to believe that the public health, safety,  
24 or welfare is at imminent risk of harm from the holder of the license, the administrative  
25 hearing commission shall enter the order requested by the board. The order shall be  
26 effective upon personal service or by leaving a copy at all of the licensee's current  
27 addresses on file with the board.

28 4. (1) The administrative hearing commission shall hold an evidentiary hearing  
29 on the record within forty-five days of the board's filing of the complaint, or upon final  
30 adjudication of any criminal charges filed against the licensee, as appropriate, to  
31 determine if cause for discipline exists under the provisions of this chapter and to  
32 determine whether the initial order entered by the commission shall continue in effect.

33 Prior to the hearing, the licensee may file affidavits and certified court records for  
34 consideration by the administrative hearing commission. The administrative hearing  
35 commission may grant a request for a continuance but shall in any event hold the  
36 hearing within one hundred twenty days of the board's initial filing. The board shall be  
37 granted leave to amend its complaint if it is more than thirty days prior to the hearing,  
38 or within thirty days prior to the hearing upon a showing of good cause.

39 (2) If no cause for discipline is found following an evidentiary hearing, the  
40 administrative hearing commission shall issue findings of fact, conclusions of law, and  
41 an order terminating the commission's initial order imposing an emergency suspension  
42 or restriction of the license.

43 (3) If the administrative hearing commission finds cause for discipline following  
44 an evidentiary hearing, the commission shall issue findings of fact and conclusions of  
45 law and order the emergency suspension or restriction to remain in full force and effect  
46 pending a disciplinary hearing before the board. The board shall hold a hearing  
47 following the certification of the record by the administrative hearing commission and  
48 may impose discipline otherwise authorized by state law.

49 5. Any action under this section shall be in addition to and not in lieu of any  
50 discipline otherwise in the board's power to impose and may be brought concurrently  
51 with other actions.

52 6. If the administrative hearing commission does not grant an initial order  
53 imposing an emergency suspension or restriction of the license as described in  
54 subsection 3 of this section, the board shall remove all reference to such emergency  
55 suspension or restriction from its public records.

332.015. 1. The Missouri dental board may require that fingerprint submissions  
2 be made as part of an application seeking licensure as a dentist, a dental specialist, a  
3 volunteer dentist, a temporary dentist, a dental hygienist, or a volunteer dental  
4 hygienist, a limited dental teaching license, and a dental faculty permit, as provided in  
5 sections 332.091, 332.112, 332.113, 332.171, 332.181, 332.183, 332.201, and 332.425.

6 2. If the Missouri dental board requires that fingerprint submissions be made as  
7 part of such application, the Missouri dental board shall require applicants to submit  
8 the fingerprints to the Missouri state highway patrol for the purpose of conducting a  
9 state and federal fingerprint-based criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the Missouri dental board of any criminal history

15 **record information or lack of criminal history record information discovered on the**  
16 **individual. Notwithstanding the provisions of section 610.120 to the contrary, all**  
17 **records related to any criminal history information discovered shall be accessible and**  
18 **available to the Missouri dental board.**

332.081. 1. Notwithstanding any other provision of law to the contrary, hospitals  
2 licensed under chapter 197 shall be authorized to employ any or all of the following oral  
3 health providers:

4 (1) A dentist licensed under this chapter for the purpose of treating on hospital  
5 premises those patients who present with a dental condition and such treatment is necessary to  
6 ameliorate the condition for which they presented such as severe pain or tooth abscesses;

7 (2) An oral and maxillofacial surgeon licensed under this chapter for the purpose of  
8 treating oral conditions that need to be ameliorated as part of treating the underlying cause of  
9 the patient's medical needs including, but not limited to, head and neck cancer, HIV or AIDS,  
10 severe trauma resulting in admission to the hospital, organ transplant, diabetes, or seizure  
11 disorders. It shall be a condition of treatment that such patients are admitted to the hospital on  
12 either an in- or out-patient basis; and

13 (3) A maxillofacial prosthodontist licensed under this chapter for the purpose of  
14 treating and supporting patients of a head and neck cancer team or other complex care or  
15 surgical team for the fabrication of appliances following ablative surgery, surgery to correct  
16 birth anomalies, extensive radiation treatment of the head or neck, or trauma-related surgery.

17 2. No person or other entity shall practice dentistry in Missouri or provide dental  
18 services as ~~defined~~ **described** in section 332.071 unless and until the board has issued to the  
19 person a certificate certifying that the person has been duly registered as a dentist in Missouri  
20 or the board has issued such certificate to an entity that has been duly registered to provide  
21 dental services by licensed dentists and dental hygienists and unless and until the board has  
22 issued to the person a license, to be renewed each period, as provided in this chapter, to  
23 practice dentistry or as a dental hygienist, or has issued to the person or entity a permit, to be  
24 renewed each period, to provide dental services in Missouri. Nothing in this chapter shall be  
25 so construed as to make it unlawful for:

26 (1) A legally qualified physician or surgeon, who does not practice dentistry as a  
27 specialty, from extracting teeth;

28 (2) A dentist licensed in a state other than Missouri from making a clinical  
29 demonstration before a meeting of dentists in Missouri;

30 (3) Dental students in any accredited dental school to practice dentistry under the  
31 personal direction of instructors;

32 (4) Dental hygiene students in any accredited dental hygiene school to practice dental  
33 hygiene under the personal direction of instructors;

34 (5) A duly registered and licensed dental hygienist in Missouri to practice dental  
35 hygiene as defined in section 332.091;

36 (6) A dental assistant, certified dental assistant, or expanded functions dental assistant  
37 to be delegated duties as defined in section 332.093;

38 (7) A duly registered dentist or dental hygienist to teach in an accredited dental or  
39 dental hygiene school;

40 (8) A person who has been granted a dental faculty permit under section 332.183 to  
41 practice dentistry in the scope of his or her employment at an accredited dental school,  
42 college, or program in Missouri;

43 (9) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic  
44 in connection with dental services or dental surgery;

45 (10) A person to practice dentistry in or for:

46 (a) The United States Armed Forces;

47 (b) The United States Public Health Service;

48 (c) Migrant, community, or health care for the homeless health centers provided in  
49 Section 330 of the Public Health Service Act (42 U.S.C. Section 254b);

50 (d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. Section  
51 1396d(l)) of the Social Security Act;

52 (e) Governmental entities, including county health departments; or

53 (f) The United States Veterans Bureau; or

54 (11) A dentist licensed in a state other than Missouri to evaluate a patient or render an  
55 oral, written, or otherwise documented dental opinion when providing testimony or records  
56 for the purpose of a civil or criminal action before any judicial or administrative proceeding  
57 of this state or other forum in this state.

58 3. No corporation shall practice dentistry as defined in section 332.071 unless that  
59 corporation is organized under the provisions of chapter 355 or 356 provided that a  
60 corporation organized under the provisions of chapter 355 and qualifying as an organization  
61 under 26 U.S.C. Section 501(c)(3) may only employ dentists and dental hygienists licensed in  
62 this state to render dental services to Medicaid recipients, low-income individuals who have  
63 available income below two hundred percent of the federal poverty level, and all participants  
64 in the SCHIP program, unless such limitation is contrary to or inconsistent with federal or  
65 state law or regulation. This subsection shall not apply to:

66 (1) A hospital licensed under chapter 197 that provides care and treatment only to  
67 children under the age of eighteen at which a person regulated under this chapter provides  
68 dental care within the scope of his or her license or registration;

69 (2) A federally qualified health center as defined in Section 1905(l) of the Social  
70 Security Act (42 U.S.C. Section 1396d(l)), or a migrant, community, or health care for the

71 homeless health center provided for in Section 330 of the Public Health Services Act (42  
72 U.S.C. Section 254b) at which a person regulated under this chapter provides dental care  
73 within the scope of his or her license or registration;

74 (3) A city or county health department organized under chapter 192 or chapter 205 at  
75 which a person regulated under this chapter provides dental care within the scope of his or her  
76 license or registration;

77 (4) A social welfare board organized under section 205.770, a city health department  
78 operating under a city charter, or a city-county health department at which a person regulated  
79 under this chapter provides dental care within the scope of his or her license or registration;

80 (5) Any entity that has received a permit from the dental board and does not receive  
81 compensation from the patient or from any third party on the patient's behalf at which a  
82 person regulated under this chapter provides dental care within the scope of his or her license  
83 or registration; **or**

84 (6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3)  
85 of the Internal Revenue Code, as amended, that engages in its operations and provides dental  
86 services at facilities owned by a city, county, or other political subdivision of the state, **or any**  
87 **entity contracted with the state to provide care in a correctional center, as such term is**  
88 **defined in section 217.010**, at which a person regulated under this chapter provides dental  
89 care within the scope of his or her license or registration.

90

91 If any of the entities exempted from the requirements of this subsection are unable to provide  
92 services to a patient due to the lack of a qualified provider and a referral to another entity is  
93 made, the exemption shall extend to the person or entity that subsequently provides services  
94 to the patient.

95 4. No unincorporated organization shall practice dentistry as defined in section  
96 332.071 unless such organization is exempt from federal taxation under Section 501(c)(3) of  
97 the Internal Revenue Code of 1986, as amended, and provides dental treatment without  
98 compensation from the patient or any third party on their behalf as a part of a broader  
99 program of social services including food distribution. Nothing in this chapter shall prohibit  
100 organizations under this subsection from employing any person regulated by this chapter.

101 5. A dentist shall not enter into a contract that allows a person who is not a dentist to  
102 influence or interfere with the exercise of the dentist's independent professional judgment.

103 6. A not-for-profit corporation organized under the provisions of chapter 355 and  
104 qualifying as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated  
105 organization operating pursuant to subsection 4 of this section, or any other person should not  
106 direct or interfere or attempt to direct or interfere with a licensed dentist's professional  
107 judgment and competent practice of dentistry. Nothing in this subsection shall be so



108 construed as to make it unlawful for not-for-profit organizations to enforce employment  
109 contracts, corporate policy and procedure manuals, or quality improvement or assurance  
110 requirements.

111         7. All entities defined in subsection 3 of this section and those exempted under  
112 subsection 4 of this section shall apply for a permit to employ dentists and dental hygienists  
113 licensed in this state to render dental services, and the entity shall apply for the permit in  
114 writing on forms provided by the Missouri dental board. The board shall not charge a fee of  
115 any kind for the issuance or renewal of such permit. The provisions of this subsection shall  
116 not apply to a federally qualified health center as defined in Section 1905(l) of the Social  
117 Security Act (42 U.S.C. Section 1396d(l)).

118         8. Any entity that obtains a permit to render dental services in this state is subject to  
119 discipline pursuant to section 332.321. If the board concludes that the person or entity has  
120 committed an act or is engaging in a course of conduct that would be grounds for disciplinary  
121 action, the board may file a complaint before the administrative hearing commission. The  
122 board may refuse to issue or renew the permit of any entity for one or any combination of  
123 causes stated in subsection 2 of section 332.321. The board shall notify the applicant in  
124 writing of the reasons for the refusal and shall advise the applicant of his or her right to file a  
125 complaint with the administrative hearing commission as provided by chapter 621.

126         9. A federally qualified health center as defined in Section 1905(l) of the Social  
127 Security Act (42 U.S.C. Section 1396d(l)) shall register with the board. The information  
128 provided to the board as part of the registration shall include the name of the health center, the  
129 nonprofit status of the health center, sites where dental services will be provided, and the  
130 names of all persons employed by, or contracting with, the health center who are required to  
131 hold a license pursuant to this chapter. The registration shall be renewed every twenty-four  
132 months. The board shall not charge a fee of any kind for the issuance or renewal of the  
133 registration. The registration of the health center shall not be subject to discipline pursuant to  
134 section 332.321. Nothing in this subsection shall prohibit disciplinary action against a  
135 licensee of this chapter who is employed by, or contracts with, such health center for the  
136 actions of the licensee in connection with such employment or contract.

137         10. The board may promulgate rules and regulations to ensure not-for-profit  
138 corporations are rendering care to the patient populations as set forth herein, including  
139 requirements for covered not-for-profit corporations to report patient census data to the board.  
140 The provisions of this subsection shall not apply to a federally qualified health center as  
141 defined in Section 1905(l) of the Social Security Act (42 U.S.C. Section 1396d(l)).

142         11. All not-for-profit corporations organized or operated pursuant to the provisions of  
143 chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the  
144 requirements relating to migrant, community, or health care for the homeless health centers

145 provided in Section 330 of the Public Health Service Act (42 U.S.C. Section 254b) and  
146 federally qualified health centers as defined in Section 1905(l) (42 U.S.C. Section 1396d(l))  
147 of the Social Security Act, that employ persons who practice dentistry or dental hygiene in  
148 this state shall do so in accordance with the relevant laws of this state except to the extent that  
149 such laws are contrary to, or inconsistent with, federal statute or regulation.

333.041. 1. ~~[Each applicant for a license to practice funeral directing shall furnish  
2 evidence to establish to the satisfaction of the board that he or she is at least eighteen years of  
3 age, and possesses a high school diploma, a general equivalency diploma, or equivalent  
4 thereof, as determined, at its discretion, by the board.~~

5 2.] Every person desiring to enter the profession of embalming dead human bodies  
6 within the state of Missouri and who is enrolled in a program **of education** accredited by the  
7 American Board of Funeral Service Education, any successor organization, or other  
8 accrediting entity as approved by the board shall register with the board as a practicum  
9 student upon the form ~~[provided]~~ **approved** by the board. ~~[After such registration, a student  
10 may assist, under the direct supervision of Missouri licensed embalmers and funeral directors,  
11 in Missouri licensed funeral establishments, while serving his or her practicum.]~~ The form  
12 for registration as a practicum student shall be accompanied by a fee in an amount established  
13 by the board. **After a student's registration has been approved by the board, a practicum  
14 student registrant may assist, under the direct supervision of an embalmer licensed  
15 under this chapter, in an establishment licensed under this chapter. Practicum student  
16 registrants shall not assist when not under such supervision. Each practicum student  
17 registrant is authorized to work only at the location or locations registered with the  
18 board and under only those supervisors registered with the board.**

19 ~~[3. Each applicant for a license to practice embalming shall furnish evidence to  
20 establish to the satisfaction of the board that he or she:~~

21 ~~(1) Is at least eighteen years of age, and possesses a high school diploma, a general  
22 equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;~~

23 ~~(2) Has completed a funeral service education program accredited by the American  
24 Board of Funeral Service Education, any successor organization, or other accrediting entity as  
25 approved by the board. If an applicant does not complete all requirements for licensure  
26 within five years from the date of his or her completion of an accredited program, his or her  
27 registration as an apprentice embalmer shall be automatically cancelled. The applicant shall  
28 be required to file a new application and pay applicable fees. No previous apprenticeship  
29 shall be considered for the new application;~~

30 ~~(3) Upon due examination administered by the board, is possessed of a knowledge of  
31 the subjects of embalming, anatomy, pathology, bacteriology, mortuary administration,  
32 chemistry, restorative art, together with statutes, rules and regulations governing the care,~~

33 ~~eustody, shelter and disposition of dead human bodies and the transportation thereof or has~~  
34 ~~passed the national board examination of the Conference of Funeral Service Examining~~  
35 ~~Boards. If any applicant fails to pass the state examination, he or she may retake the~~  
36 ~~examination at the next regular examination meeting. The applicant shall notify the board~~  
37 ~~office of his or her desire to retake the examination at least thirty days prior to the date of the~~  
38 ~~examination. Each time the examination is retaken, the applicant shall pay a new~~  
39 ~~examination fee in an amount established by the board;~~

40 ~~(4) Has been employed full time in funeral service in a licensed funeral establishment~~  
41 ~~and has personally embalmed at least twenty-five dead human bodies under the personal~~  
42 ~~supervision of an embalmer who holds a current and valid Missouri embalmer's license~~  
43 ~~during an apprenticeship of not less than twelve consecutive months. "Personal supervision"~~  
44 ~~means that the licensed embalmer shall be physically present during the entire embalming~~  
45 ~~process in the first six months of the apprenticeship period and physically present at the~~  
46 ~~beginning of the embalming process and available for consultation and personal inspection~~  
47 ~~within a period of not more than one hour in the remaining six months of the apprenticeship~~  
48 ~~period. All transcripts and other records filed with the board shall become a part of the board~~  
49 ~~files.~~

50 **4.] 2. Except as otherwise provided in this section, an applicant not entitled to an**  
51 **embalmer's license under section 333.051 or 324.009 shall make application for such**  
52 **license. Each applicant for an initial license to practice embalming shall furnish**  
53 **evidence to establish to the satisfaction of the board that he or she:**

54 **(1) Is eighteen years of age or older;**

55 **(2) Possesses a high school diploma, a general equivalency diploma, or**  
56 **equivalent thereof, as determined, at its discretion, by the board;**

57 **(3) Has completed a funeral service education program accredited by the**  
58 **American Board of Funeral Service Education, any successor organization, or other**  
59 **accrediting entity as approved by the board;**

60 **(4) Received passing scores on the National Board Examination-Sciences and the**  
61 **Missouri law examination administered by the International Conference of Funeral**  
62 **Service Examining Boards, any successor organization, or other organization approved**  
63 **by the board; and**

64 **(5) Has been employed in a qualifying embalmer's apprentice program as**  
65 **defined by the board for no less than six months and has personally embalmed at least**  
66 **twenty-five dead human bodies under the supervision of an embalmer who is licensed**  
67 **under this chapter. The first twelve of the embalmings shall be conducted under the**  
68 **direct supervision of the licensed embalmer. For purposes of this subdivision, a**  
69 **"qualifying embalmer's apprentice program" is a program in which the apprentice**

70 completed the minimum number of hours required by the board and, as attested to by  
71 the supervising licensed embalmer, obtained the minimal required skills to practice  
72 embalming. For purposes of this subdivision, "direct supervision" shall mean  
73 supervision in which the licensed embalmer is physically present with the apprentice  
74 embalmer and the dead human body at the beginning of the embalming process and  
75 available for consultation within one hour for the remainder of the embalming process.  
76 The licensed embalmer shall inspect all bodies embalmed by the apprentice embalmer.

77 3. Upon written request to the board, any person licensed under this section  
78 may, at his or her election, at any time, sit for the National Board Examination-Arts  
79 administered by the International Conference of Funeral Service Examining Boards,  
80 any successor organization, or other organization approved by the board if such person  
81 has not previously passed such examination.

82 4. If the applicant does not complete the application process within the five years  
83 after his or her completion of an approved program, then he or she must file a new application  
84 and no fees paid previously shall apply toward the license fee.

85 5. ~~[Examinations required by this section and section 333.042 shall be held at least~~  
86 ~~twice a year at times and places fixed by the board. The board shall by rule and regulation~~  
87 ~~prescribe the standard for successful completion of the examinations.~~

88 6. ~~Upon establishment of his or her qualifications as specified by this section or~~  
89 ~~section 333.042, the board shall issue to the applicant a license to practice funeral directing or~~  
90 ~~embalming, as the case may require, and shall register the applicant as a duly licensed funeral~~  
91 ~~director or a duly licensed embalmer.] Any person having the qualifications required by this~~  
92 section and section 333.042 may be granted both a license to practice funeral directing and to  
93 practice embalming.

94 ~~[7. The board shall, upon request, waive any requirement of this chapter and issue a~~  
95 ~~temporary funeral director's license, valid for six months, to the surviving spouse or next of~~  
96 ~~kin or the personal representative of a licensed funeral director, or to the spouse, next of kin,~~  
97 ~~employee or conservator of a licensed funeral director disabled because of sickness, mental~~  
98 ~~incapacity or injury.]~~

333.042. 1. ~~[Every person desiring to enter the profession of funeral directing in this~~  
2 ~~state shall make application with the state board of embalmers and funeral directors and pay~~  
3 ~~the current application and examination fees. Except as otherwise provided in section 41.950,~~  
4 ~~applicants not entitled to a license pursuant to section 333.051 or 324.009 shall serve an~~  
5 ~~apprenticeship for at least twelve consecutive months in a funeral establishment licensed for~~  
6 ~~the care and preparation for burial and transportation of the human dead in this state or in~~  
7 ~~another state which has established standards for admission to practice funeral directing equal~~  
8 ~~to, or more stringent than, the requirements for admission to practice funeral directing in this~~

9 state. ~~The applicant shall devote at least fifteen hours per week to his or her duties as an~~  
10 ~~apprentice under the supervision of a Missouri licensed funeral director. Such applicant shall~~  
11 ~~submit proof to the board, on forms provided by the board, that the applicant has arranged and~~  
12 ~~conducted ten funeral services during the applicant's apprenticeship under the supervision of a~~  
13 ~~Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall~~  
14 ~~appear before the board to be tested on the applicant's legal and practical knowledge of~~  
15 ~~funeral directing, funeral home licensing, preneed funeral contracts and the care, custody,~~  
16 ~~shelter, disposition and transportation of dead human bodies. Upon acceptance of the~~  
17 ~~application and fees by the board, an applicant shall have twenty-four months to successfully~~  
18 ~~complete the requirements for licensure found in this section or the application for licensure~~  
19 ~~shall be cancelled.~~

20 ~~2. If a person applies for a limited license to work only in a funeral establishment~~  
21 ~~which is licensed only for cremation, including transportation of dead human bodies to and~~  
22 ~~from the funeral establishment, he or she shall make application, pay the current application~~  
23 ~~and examination fee and successfully complete the Missouri law examination. He or she~~  
24 ~~shall be exempt from the twelve-month apprenticeship required by subsection 1 of this~~  
25 ~~section and the practical examination before the board. If a person has a limited license~~  
26 ~~issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or~~  
27 ~~she fulfills the apprenticeship and successfully completes the funeral director practical~~  
28 ~~examination.~~

29 ~~3. If an individual is a Missouri licensed embalmer or has completed a program~~  
30 ~~accredited by the American Board of Funeral Service Education, any successor organization,~~  
31 ~~or other accrediting entity as approved by the board or has successfully completed a course of~~  
32 ~~study in funeral directing offered by an institution accredited by a recognized national,~~  
33 ~~regional or state accrediting body and approved by the state board of embalmers and funeral~~  
34 ~~directors, and desires to enter the profession of funeral directing in this state, the individual~~  
35 ~~shall comply with all the requirements for licensure as a funeral director pursuant to~~  
36 ~~subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is~~  
37 ~~exempt from the twelve-month apprenticeship required by subsection 1 of this section.]~~  
38 **Except as otherwise provided in this section, an applicant for a funeral director license**  
39 **not entitled to a license under section 333.051 or 324.009 shall make application for an**  
40 **initial license to practice funeral directing and shall furnish evidence to establish to the**  
41 **satisfaction of the board that he or she:**

- 42 (1) Is eighteen years of age or older;
- 43 (2) Possesses a high school diploma, a general equivalency diploma, or
- 44 equivalent thereof, as determined, at its discretion, by the board; and
- 45 (3) Has either:

46           **(a) Completed a funeral service education program accredited by the American**  
47 **Board of Funeral Service Education, any successor organization, or other accrediting**  
48 **entity as approved by the board and received passing scores on the National Board**  
49 **Examination-Arts and the Missouri law examination. The board may accept, in lieu of a**  
50 **passing score on the National Board Examination-Arts, a passing score on an**  
51 **administration of the Missouri arts examination that occurred before the**  
52 **International Conference of Funeral Service Examining Boards ended all**  
53 **administrations of the Missouri arts examination on January 1, 2023; or**

54           **(b) Made application for a funeral director provisional license and successfully**  
55 **either:**

56           **a. Within twenty-four months of receipt of the provisional license:**

57           **(i) Completed a twelve-month qualifying funeral director apprentice program as**  
58 **determined by the board during which the applicant arranged and conducted ten**  
59 **funeral services. Such program shall be under the personal supervision of a funeral**  
60 **director licensed under this chapter and in a Missouri funeral establishment licensed for**  
61 **the care and preparation for burial and transportation of the human dead in this state;**  
62 **and**

63           **(ii) Received passing scores on the National Board Examination-Arts and the**  
64 **Missouri law examination. The board may accept, in lieu of a passing score on the**  
65 **National Board Examination-Arts, a passing score on an administration of the Missouri**  
66 **arts examination that occurred before the International Conference of Funeral Service**  
67 **Examining Boards ended all administrations of the Missouri arts examination on**  
68 **January 1, 2023; or**

69           **b. Within thirty-six months of receipt of the provisional license:**

70           **(i) Completed an eighteen-month qualifying funeral director apprentice**  
71 **program as determined by the board during which the applicant arranged and**  
72 **conducted twenty-five funeral services. Such program shall be under the personal**  
73 **supervision of a funeral director licensed under this chapter and in a Missouri funeral**  
74 **establishment licensed for the care and preparation for burial and transportation of the**  
75 **human dead in this state; and**

76           **(ii) Received a passing score on the Missouri law examination.**

77           **2. Any person holding a provisional license shall be eligible, upon written**  
78 **request to the board, to sit for the National Board Examination-Arts and the Missouri**  
79 **law examination at any time during the period in which his or her provisional license is**  
80 **effective.**

81           **3. Any licensed funeral director who has not previously sat for the National**  
82 **Board Examination-Arts may, at his or her election and upon written request to the**  
83 **board, sit for the examination.**

84           **4. A person may apply for a limited license to work only in a funeral**  
85 **establishment licensed for cremation. A person holding a limited funeral director**  
86 **license may perform duties related to cremation. To qualify for a limited funeral**  
87 **director license, an applicant shall be eighteen years of age or older and shall make**  
88 **application with the board, pay applicable fees, and successfully complete the Missouri**  
89 **law examination. Completion of a qualifying funeral director apprentice program shall**  
90 **not be required to obtain a limited funeral director license.**

91           **5. The board shall, at its discretion and upon written request, waive individual**  
92 **funeral director licensure requirements for up to six months if there is an absence of a**  
93 **funeral director in charge due to the death or disability of the licensed funeral director**  
94 **and there is no other licensed funeral director available to discharge the director's**  
95 **duties. A waiver under this subsection shall allow the spouse, next of kin, personal**  
96 **representative, or conservator of the absent director to conduct business until a licensed**  
97 **funeral director can be obtained or business arrangements are made to close or sell the**  
98 **establishment. The waiver shall not allow for any services to be provided for which**  
99 **formal funeral service education is required.**

100           **6. As used in this section, the following terms mean:**

101           **(1) "Personal supervision", supervision in which the licensed funeral director**  
102 **shall be physically present during any arrangement conferences and present for the first**  
103 **five funeral services conducted by the apprentice. The supervising licensed funeral**  
104 **director shall not be required to be present when the apprentice performs any other**  
105 **functions relating to the practice of funeral directing but shall be available within one**  
106 **hour for consultation;**

107           **(2) "Qualifying funeral director apprentice program", a program that meets the**  
108 **minimum hour requirements for funeral directing tasks as set by the board and in**  
109 **which the supervising funeral director has attested that the apprentice has obtained the**  
110 **minimal required skills to practice funeral directing.**

**334.015. 1. The state board of registration for the healing arts may require that**  
2 **fingerprints be made as part of an application for a permanent license,**  
3 **temporary license, or limited license as a physician and assistant physician, as provided**  
4 **in sections 334.035, 334.036, 334.045, 334.046, and 334.112.**

5           **2. If the state board of registration for the healing arts requires that fingerprint**  
6 **submissions be made as part of such application, the state board of registration for the**  
7 **healing arts shall require applicants to submit the fingerprints to the Missouri state**

8 highway patrol for the purpose of conducting a state and federal fingerprint-based  
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the state board of registration for the healing arts of  
15 any criminal history record information or lack of criminal history record information  
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
17 contrary, all records related to any criminal history information discovered shall be  
18 accessible and available to the state board of registration for the healing arts.

334.403. 1. The state board of registration for the healing arts may require that  
2 fingerprint submissions be made as part of an application seeking licensure as an  
3 anesthesiologist assistant, as such term is defined in section 334.400, or a temporary  
4 license to practice as an anesthesiologist assistant, as provided in section 334.406.

5 2. If the state board of registration for the healing arts requires that fingerprint  
6 submissions be made as part of such application, the state board of registration for the  
7 healing arts shall require applicants to submit the fingerprints to the Missouri state  
8 highway patrol for the purpose of conducting a state and federal fingerprint-based  
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the state board of registration for the healing arts of  
15 any criminal history record information or lack of criminal history record information  
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
17 contrary, all records related to any criminal history information discovered shall be  
18 accessible and available to the state board of registration for the healing arts.

334.501. 1. The state board of registration for the healing arts may require that  
2 fingerprint submissions be made as part of an application seeking a license or  
3 temporary license as a physical therapist or physical therapist assistant, as such terms  
4 are defined in section 334.500 and as provided in section 334.550.

5 2. If the state board of registration for the healing arts requires that fingerprint  
6 submissions be made as part of such application, the state board of registration for the  
7 healing arts shall require applicants to submit the fingerprints to the Missouri state



8 highway patrol for the purpose of conducting a state and federal fingerprint-based  
9 criminal history background check.

10 3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the state board of registration for the healing arts of  
15 any criminal history record information or lack of criminal history record information  
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
17 contrary, all records related to any criminal history information discovered shall be  
18 accessible and available to the state board of registration for the healing arts.

334.701. 1. The state board of registration for the healing arts may require that  
2 fingerprint submissions be made as part of an application seeking licensure as an  
3 athletic trainer, as such term is defined in section 334.702.

4 2. If the state board of registration for the healing arts requires that fingerprint  
5 submissions be made as part of such application, the state board of registration for the  
6 healing arts shall require applicants to submit the fingerprints to the Missouri state  
7 highway patrol for the purpose of conducting a state and federal fingerprint-based  
8 criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri  
13 state highway patrol shall notify the state board of registration for the healing arts of  
14 any criminal history record information or lack of criminal history record information  
15 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
16 contrary, all records related to any criminal history information discovered shall be  
17 accessible and available to the state board of registration for the healing arts.

334.739. 1. The state board of registration for the healing arts may require that  
2 fingerprint submissions be made as part of an application seeking a license or  
3 temporary license as a physician assistant, as such term is defined in section 334.735 and  
4 as provided in section 334.736.

5 2. If the state board of registration for the healing arts requires that fingerprint  
6 submissions be made as part of such application, the state board of registration for the  
7 healing arts shall require applicants to submit the fingerprints to the Missouri state  
8 highway patrol for the purpose of conducting a state and federal fingerprint-based  
9 criminal history background check.

10           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
11 **highway patrol's central repository. The fingerprints shall be used for searching the**  
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
14 **state highway patrol shall notify the state board of registration for the healing arts of**  
15 **any criminal history record information or lack of criminal history record information**  
16 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**  
17 **contrary, all records related to any criminal history information discovered shall be**  
18 **accessible and available to the state board of registration for the healing arts.**

**334.805. 1. The Missouri board for respiratory care may require that**  
2 **fingerprint submissions be made as part of an application seeking licensure as a**  
3 **respiratory care practitioner, an educational permit to practice respiratory care, or a**  
4 **temporary permit to practice respiratory care, as such terms are defined in section**  
5 **334.800 and as provided in section 334.890.**

6           **2. If the Missouri board for respiratory care requires that fingerprint**  
7 **submissions be made as part of such application, the Missouri board for respiratory**  
8 **care shall require applicants to submit the fingerprints to the Missouri state highway**  
9 **patrol for the purpose of conducting a state and federal fingerprint-based criminal**  
10 **history background check.**

11           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
12 **highway patrol's central repository. The fingerprints shall be used for searching the**  
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
15 **state highway patrol shall notify the Missouri board for respiratory care of any criminal**  
16 **history record information or lack of criminal history record information discovered on**  
17 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**  
18 **records related to any criminal history information discovered shall be accessible and**  
19 **available to the Missouri board for respiratory care.**

**335.022. 1. The state board of nursing may require applicants to submit**  
2 **fingerprints to the Missouri state highway patrol for the purpose of conducting a state**  
3 **and federal fingerprint-based criminal history background check for employment**  
4 **purposes with the state board of nursing.**

5           **2. The fingerprints and any required fees shall be sent to the Missouri state**  
6 **highway patrol's central repository. The fingerprints shall be used for searching the**  
7 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
8 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
9 **state highway patrol shall notify the state board of nursing of any criminal history**

10 record information or lack of criminal history record information discovered on the  
11 individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
12 records related to any criminal history information discovered shall be accessible and  
13 available to the state board of nursing.

335.042. 1. The state board of nursing may require that fingerprint submissions  
2 be made as part of an application seeking licensure to practice as a registered nurse,  
3 practical nurse, and advanced practice registered nurse, as such terms are defined in  
4 section 335.016.

5 2. If the state board of nursing requires that fingerprint submissions be made as  
6 part of such application, the state board of nursing shall require nursing applicants to  
7 submit the fingerprints to the Missouri state highway patrol for the purpose of  
8 conducting a state and federal fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri  
13 state highway patrol shall notify the state board of nursing of any criminal history  
14 record information or lack of criminal history record information discovered on the  
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
16 records related to any criminal history information discovered shall be accessible and  
17 available to the state board of nursing.

336.025. 1. The state board of optometry may require that fingerprint  
2 submissions be made as part of an application seeking licensure to practice as an  
3 optometrist, as provided in sections 336.010 and 336.030.

4 2. If the state board of optometry requires that fingerprint submissions be made  
5 as part of such application, the state board of optometry shall require applicants to  
6 submit the fingerprints to the Missouri state highway patrol for the purpose of  
7 conducting a state and federal fingerprint-based criminal history background check.

8 3. The fingerprints and any required fees shall be sent to the Missouri state  
9 highway patrol's central repository. The fingerprints shall be used for searching the  
10 state criminal records repository and shall also be forwarded to the Federal Bureau of  
11 Investigation for a federal criminal records search under section 43.540. The Missouri  
12 state highway patrol shall notify the state board of optometry of any criminal history  
13 record information or lack of criminal history record information discovered on the  
14 individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
15 records related to any criminal history information discovered shall be accessible and  
16 available to the state board of optometry.

1           **337.018. 1. The state committee of psychologists may require that fingerprint**  
2 **submissions be made as part of an application seeking licensure as a licensed**  
3 **psychologist, provisional licensed psychologist, and temporary license for a licensed**  
4 **psychologist.**

5           **2. If the state committee of psychologists requires that fingerprint submissions**  
6 **be made as part of such application, the state committee of psychologists shall require**  
7 **applicants to submit the fingerprints to the Missouri state highway patrol for the**  
8 **purpose of conducting a state and federal fingerprint-based criminal history**  
9 **background check.**

10           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
11 **highway patrol's central repository. The fingerprints shall be used for searching the**  
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
14 **state highway patrol shall notify the state committee of psychologists of any criminal**  
15 **history record information or lack of criminal history record information discovered on**  
16 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**  
17 **records related to any criminal history information discovered shall be accessible and**  
18 **available to the state committee of psychologists.**

**337.308. 1. The behavior analyst advisory board may require that fingerprint**  
2 **submissions be made as part of an application seeking licensure, provisional licensure,**  
3 **or temporary licensure as a licensed behavior analyst or a licensed assistant behavior**  
4 **analyst, as such terms are defined in section 337.300.**

5           **2. If the behavior analyst advisory board requires that fingerprint submissions**  
6 **be made as part of such application, the behavior analyst advisory board shall require**  
7 **applicants to submit the fingerprints to the Missouri state highway patrol for the**  
8 **purpose of conducting a state and federal fingerprint-based criminal history**  
9 **background check.**

10           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
11 **highway patrol's central repository. The fingerprints shall be used for searching the**  
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
14 **state highway patrol shall notify the behavior analyst advisory board of any criminal**  
15 **history record information or lack of criminal history record information discovered on**  
16 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**  
17 **records related to any criminal history information discovered shall be accessible and**  
18 **available to the behavior analyst advisory board.**

2 **337.501. 1. The committee for professional counselors may require that**  
3 **fingerprint submissions be made as part of an application seeking licensure as a licensed**  
4 **professional counselor and provisional licensed professional counselor, as defined in**  
5 **section 337.500.**

6 **2. If the committee for professional counselors requires that fingerprint**  
7 **submissions be made as part of such application, the committee for professional**  
8 **counselors shall require applicants to submit the fingerprints to the Missouri state**  
9 **highway patrol for the purpose of conducting a state and federal fingerprint-based**  
10 **criminal history background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state**  
12 **highway patrol's central repository. The fingerprints shall be used for searching the**  
13 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
14 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
15 **state highway patrol shall notify the committee for professional counselors of any**  
16 **criminal history record information or lack of criminal history record information**  
17 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**  
18 **contrary, all records related to any criminal history information discovered shall be**  
**accessible and available to the committee for professional counselors.**

337.600. As used in sections 337.600 to 337.689, the following terms mean:

2 (1) "Advanced macro social worker", the applications of social work theory,  
3 knowledge, methods, principles, values, and ethics; and the professional use of self to  
4 community and organizational systems, systemic and macrocosm issues, and other indirect  
5 nonclinical services; specialized knowledge and advanced practice skills in case management,  
6 information and referral, nonclinical assessments, counseling, outcome evaluation, mediation,  
7 nonclinical supervision, nonclinical consultation, expert testimony, education, outcome  
8 evaluation, research, advocacy, social planning and policy development, community  
9 organization, and the development, implementation and administration of policies,  
10 programs, and activities. A licensed advanced macro social worker may not treat mental  
11 or emotional disorders or provide psychotherapy without the direct supervision of a licensed  
12 clinical social worker, or diagnose a mental disorder;

13 (2) "Clinical social work", the application of social work theory, knowledge, values,  
14 methods, principles, and techniques of case work, group work, client-centered advocacy,  
15 community organization, administration, planning, evaluation, consultation, research,  
16 psychotherapy and counseling methods and techniques to persons, families and groups in  
17 assessment, diagnosis, treatment, prevention and amelioration of mental and emotional  
18 conditions;

- 19 (3) "Committee", the state committee for social workers established in section  
20 337.622;
- 21 (4) "Department", the Missouri department of commerce and insurance;
- 22 (5) "Director", the director of the division of professional registration;
- 23 (6) "Division", the division of professional registration;
- 24 (7) "Independent practice", any practice of social workers outside of an organized  
25 setting such as a social, medical, or governmental agency in which a social worker assumes  
26 responsibility and accountability for services required;
- 27 (8) "Licensed advanced macro social worker", any person who offers to render  
28 services to individuals, groups, families, couples, organizations, institutions, communities,  
29 government agencies, corporations, or the general public for a fee, monetary or otherwise,  
30 implying that the person is trained, experienced, and licensed as an advanced macro social  
31 worker, and who holds a current valid license to practice as an advanced macro social worker;
- 32 (9) "Licensed baccalaureate social worker", any person who offers to render services  
33 to individuals, groups, organizations, institutions, corporations, government agencies, or the  
34 general public for a fee, monetary or otherwise, implying that the person is trained,  
35 experienced, and licensed as a baccalaureate social worker, and who holds a current valid  
36 license to practice as a baccalaureate social worker;
- 37 (10) "Licensed clinical social worker", any person who offers to render services to  
38 individuals, groups, organizations, institutions, corporations, government agencies, or the  
39 general public for a fee, monetary or otherwise, implying that the person is trained,  
40 experienced, and licensed as a clinical social worker, and who holds a current, valid license to  
41 practice as a clinical social worker;
- 42 (11) "Licensed master social worker", any person who offers to render services to  
43 individuals, groups, families, couples, organizations, institutions, communities, government  
44 agencies, corporations, or the general public for a fee, monetary or otherwise, implying that  
45 the person is trained, experienced, and licensed as a master social worker, and who holds a  
46 current valid license to practice as a master social worker. A licensed master social worker  
47 may not treat mental or emotional disorders, provide psychotherapy without the direct  
48 supervision of a licensed clinical social worker, or diagnose a mental disorder;
- 49 (12) "Master social work", the application of social work theory, knowledge,  
50 methods, and ethics and the professional use of self to restore or enhance social, psychosocial,  
51 or biopsychosocial functioning of individuals, couples, families, groups, organizations,  
52 communities, institutions, government agencies, or corporations. The practice includes the  
53 applications of specialized knowledge and advanced practice skills in the areas of assessment,  
54 treatment planning, implementation and evaluation, case management, mediation,  
55 information and referral, counseling, client education, supervision, consultation, education,

56 research, advocacy, community organization and development, planning, evaluation,  
57 implementation and administration of policies, programs, and activities. Under supervision  
58 as provided in this section, the practice of master social work may include the practices  
59 reserved to clinical social workers or advanced macro social workers for no more than forty-  
60 eight consecutive calendar months for the purpose of obtaining licensure under section  
61 337.615 or 337.645;

62 (13) "Practice of advanced macro social work", rendering, offering to render, or  
63 supervising those who render to individuals, couples, families, groups, organizations,  
64 institutions, corporations, government agencies, communities, or the general public any  
65 service involving the application of methods, principles, and techniques of advanced practice  
66 macro social work;

67 (14) "Practice of baccalaureate social work", rendering, offering to render, or  
68 supervising those who render to individuals, families, groups, organizations, institutions,  
69 corporations, or the general public any service involving the application of methods,  
70 principles, and techniques of baccalaureate social work;

71 (15) "Practice of clinical social work", rendering, offering to render, or supervising  
72 those who render to individuals, couples, groups, organizations, institutions, corporations, or  
73 the general public any service involving the application of methods, principles, and  
74 techniques of clinical social work;

75 (16) "Practice of master social work", rendering, offering to render, or supervising  
76 those who render to individuals, couples, families, groups, organizations, institutions,  
77 corporations, government agencies, communities, or the general public any service involving  
78 the application of methods, principles, and techniques of master social work;

79 (17) "Qualified advanced macro supervisor", any licensed social worker who meets  
80 the qualifications of a qualified clinical supervisor or a licensed advanced macro social  
81 worker who has:

82 (a) Practiced in the field of social work as a licensed social worker for which he or  
83 she is supervising the applicant for a minimum of five years;

84 (b) Successfully completed a minimum of sixteen hours of supervisory training from  
85 the Association of Social Work Boards, the National Association of Social Workers, an  
86 accredited university, or a program approved by the state committee for social workers. All  
87 organizations providing the supervisory training shall adhere to the basic content and quality  
88 standards outlined by the state committee on social work; and

89 (c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by  
90 the state committee for social workers;

91 (18) "Qualified baccalaureate supervisor", any licensed social worker who meets the  
 92 qualifications of a qualified clinical supervisor, qualified master supervisor, qualified  
 93 advanced macro supervisor, or a licensed baccalaureate social worker who has:

94 (a) Practiced in the field of social work as a licensed social worker for which he or  
 95 she is supervising the applicant for a minimum of five years;

96 (b) Successfully completed a minimum of sixteen hours of supervisory training from  
 97 the Association of Social Work Boards, the National Association of Social Workers, an  
 98 accredited university, or a program approved by the state committee for social workers. All  
 99 organizations providing the supervisory training shall adhere to the basic content and quality  
 100 standards outlined by the state committee on social workers; and

101 (c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by  
 102 the state committee for social workers;

103 (19) "Qualified clinical supervisor", any licensed clinical social worker who has:

104 (a) Practiced in the field of social work as a licensed social worker for which he or  
 105 she is supervising the applicant for a minimum of five years;

106 (b) Successfully completed a minimum of sixteen hours of supervisory training from  
 107 the Association of Social Work Boards, the National Association of Social Workers, an  
 108 accredited university, or a program approved by the state committee for social workers. All  
 109 organizations providing the supervisory training shall adhere to the basic content and quality  
 110 standards outlined by the state committee on social work; and

111 (c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by  
 112 the state committee for social workers;

113 (20) "Social worker", any individual that has:

114 (a) Received a baccalaureate [~~or master's~~] degree in social work from an accredited  
 115 social work program approved by the [~~council on social work education~~] **Council on Social  
 116 Work Education;**

117 (b) **Received a master's degree in social work from a social work program:**

118 **a. Accredited by the Council on Social Work Education; or**

119 **b. Recognized and approved by the committee in accordance with rules adopted  
 120 by the committee under section 337.627 and in accordance with the procedure set forth  
 121 in section 337.628;**

122 (c) Received a doctorate or Ph.D. in social work; or

123 [~~e~~] (d) A current social worker license as set forth in sections 337.600 to 337.689.  
 337.604. 1. No person shall hold himself or herself out to be a social worker unless

2 such person has:



3 (1) Received a baccalaureate [~~or master's~~] degree in social work from an accredited  
4 social work program approved by the [~~council on social work education~~] **Council on Social  
5 Work Education;**

6 (2) **Received a master's degree in social work from a social work program:**

7 (a) **Accredited by the Council on Social Work Education; or**

8 (b) **Recognized and approved by the committee in accordance with rules  
9 adopted by the committee under section 337.627 and in accordance with the procedure  
10 set forth in section 337.628;**

11 (3) Received a doctorate or Ph.D. in social work; or

12 [~~3~~] (4) A current social worker license as set forth in sections 337.600 to 337.689.

13 2. No government entities, public or private agencies or organizations in the state  
14 shall use the title "social worker" or any form of the title, including but not limited to the  
15 abbreviations "SW", "BSW", "MSW", "DSW", "LBSW", "LBSW-IP", "LMSW", "PLCSW",  
16 "LCSW", "CSW", "LAMSW", and "AMSW", for volunteer or employment positions or  
17 within contracts for services, documents, manuals, or reference material effective January 1,  
18 2004, unless the volunteers or employees in those positions meet the criteria set forth in this  
19 chapter.

**337.605. 1. The state committee for social workers may require that fingerprint  
2 submissions be made as part of an application seeking a license or a temporary permit  
3 to practice as a licensed clinical social worker, licensed advanced macro social worker,  
4 licensed master social worker, and licensed baccalaureate social worker, as such terms  
5 are defined in section 337.600 and as provided in section 337.621.**

6 **2. If the state committee for social workers requires that fingerprint submissions  
7 be made as part of such application, the state committee for social workers shall require  
8 applicants to submit the fingerprints to the Missouri state highway patrol for the  
9 purpose of conducting a state and federal fingerprint-based criminal history  
10 background check.**

11 **3. The fingerprints and any required fees shall be sent to the Missouri state  
12 highway patrol's central repository. The fingerprints shall be used for searching the  
13 state criminal records repository and shall also be forwarded to the Federal Bureau of  
14 Investigation for a federal criminal records search under section 43.540. The Missouri  
15 state highway patrol shall notify the state committee for social workers of any criminal  
16 history record information or lack of criminal history record information discovered on  
17 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
18 records related to any criminal history information discovered shall be accessible and  
19 available to the state committee for social workers.**

337.615. 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. The term "military" also includes the military  
9 reserves and 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) "Oversight body", any board, department, agency, or office of a jurisdiction that  
16 issues licenses;

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

21 2. Each applicant for licensure as a clinical social worker shall furnish evidence to the  
22 committee that:

23 (1) The applicant has:

24 (a) A master's degree from a college or university program of social work:

25 a. Accredited by the [~~council of social work education~~] **Council on Social Work**  
26 **Education; or**

27 **b. Recognized and approved by the committee in accordance with rules adopted**  
28 **by the committee under section 337.627 and in accordance with the procedure set forth**  
29 **in section 337.628; or**

30 (b) A doctorate degree from a school of social work acceptable to the committee;

31 (2) The applicant has completed at least three thousand hours of supervised clinical  
32 experience with a qualified clinical supervisor, as defined in section 337.600, in no less than  
33 twenty-four months and no more than forty-eight consecutive calendar months. For any  
34 applicant who has successfully completed at least four thousand hours of supervised clinical  
35 experience with a qualified clinical supervisor, as defined in section 337.600, within the same  
36 time frame prescribed in this subsection, the applicant shall be eligible for application of  
37 licensure at three thousand hours and shall be furnished a certificate by the state committee  
38 for social workers acknowledging the completion of said additional hours;

39 (3) The applicant has achieved a passing score, as defined by the committee, on an  
40 examination approved by the committee. The eligibility requirements for such examination  
41 shall be promulgated by rule of the committee; and

42 (4) The applicant is at least eighteen years of age, is a United States citizen or has  
43 status as a legal resident alien, and has not been finally adjudicated and found guilty, or  
44 entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any  
45 state, of the United States, or of any country, for any offense directly related to the duties and  
46 responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not  
47 sentence has been imposed.

48 3. (1) Any person who holds a valid current clinical social work license issued by  
49 another state, a branch or unit of the military, a territory of the United States, or the District of  
50 Columbia, and who has been licensed for at least one year in such other jurisdiction, may  
51 submit to the committee an application for a clinical social work license in Missouri along  
52 with proof of current licensure and proof of licensure for at least one year in the other  
53 jurisdiction.

54 (2) The committee shall:

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

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

67 (3) (a) The committee shall not waive any examination, educational, or experience  
68 requirements for any applicant who has had his or her license revoked by an oversight body  
69 outside the state; who is currently under investigation, who has a complaint pending, or who  
70 is currently under disciplinary action, except as provided in paragraph (b) of this subdivision,  
71 with an oversight body outside the state; who does not hold a license in good standing with an  
72 oversight body outside the state; who has a criminal record that would disqualify him or her  
73 for licensure in Missouri; or who does not hold a valid current license in the other jurisdiction  
74 on the date the committee receives his or her application under this subsection [~~and section~~].

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

79 (4) Nothing in this subsection shall prohibit the committee from denying a license to  
80 an applicant under this subsection for any reason described in section 337.630.

81 (5) Any person who is licensed under the provisions of this subsection shall be  
82 subject to the committee's jurisdiction and all rules and regulations pertaining to the practice  
83 as a licensed clinical social worker in this state.

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

86 4. The committee shall issue a license to each person who files an application and fee  
87 as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence  
88 satisfactory to the committee that the applicant has complied with the provisions of  
89 subdivisions (1) to (4) of subsection 2 of this section.

337.627. 1. The committee shall promulgate rules and regulations pertaining to:

2 (1) The form and content of license applications required by the provisions of  
3 sections 337.600 to 337.689 and section 324.009 and the procedures for filing an application  
4 for an initial or renewal license in this state;

5 (2) Fees required by the provisions of sections 337.600 to 337.689 and section  
6 324.009;

7 (3) The characteristics of supervised clinical experience, supervised master  
8 experience, supervised advanced macro experience, and supervised baccalaureate experience;

9 (4) The standards and methods to be used in assessing competency as a licensed  
10 clinical social worker, licensed master social worker, licensed advanced macro social worker,  
11 and licensed baccalaureate social worker, including the requirement for continuing education  
12 hours;

13 (5) Establishment and promulgation of procedures for investigating, hearing and  
14 determining grievances and violations occurring pursuant to the provisions of sections  
15 337.600 to 337.689;

16 (6) Development of an appeal procedure for the review of decisions and rules of  
17 administrative agencies existing pursuant to the constitution or laws of this state;

18 (7) Establishment of a policy and procedure for reciprocity with states which do not  
19 have clinical, master, advanced macro, or baccalaureate social worker licensing laws and  
20 states whose licensing laws are not substantially similar to those of this state; ~~and~~

21 (8) **Establishment of a policy and procedure for reviewing social work degree**  
22 **programs offering a master's degree in social work that have achieved candidacy or**

23 **precandidacy status in the accreditation process established by the Council on Social**  
 24 **Work Education to determine whether to recognize and approve such programs for**  
 25 **licensure purposes; and**

26 (9) Any other policies or procedures necessary to the fulfillment of the requirements  
 27 of sections 337.600 to 337.689.

28 2. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
 29 created under the authority delegated in this section shall become effective only if it complies  
 30 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
 31 This section and chapter 536 are nonseverable and if any of the powers vested with the  
 32 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
 33 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
 34 rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid  
 35 and void.

**337.628. A social work degree program offering a master's degree in social work**  
 2 **that has achieved candidacy or precandidacy status in the accreditation process**  
 3 **established by the Council on Social Work Education shall not receive automatic**  
 4 **recognition and approval by the committee due to that status under the rules adopted**  
 5 **under section 337.627. Only such programs may apply to the committee for recognition**  
 6 **and approval, and the committee shall review each application on an individualized**  
 7 **basis to determine whether the program qualifies for recognition and approval.**

337.644. 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. The term "military" also includes the military  
 9 reserves and 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) "Oversight body", any board, department, agency, or office of a jurisdiction that  
 16 issues licenses;

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

21 2. Each applicant for licensure as a master social worker shall furnish evidence to the  
22 committee that:

23 (1) The applicant has:

24 (a) A master's **degree in social work from a social work degree program:**

25 **a. Accredited by the Council on Social Work Education; or**

26 **b. Recognized and approved by the committee in accordance with rules adopted**  
27 **by the committee under section 337.627 and in accordance with the procedure set forth**  
28 **in section 337.628; or**

29 **(b) A doctorate degree in social work from an accredited social work degree program**  
30 **approved by the ~~[council of social work education]~~ Council on Social Work Education;**

31 (2) The applicant has achieved a passing score, as defined by the committee, on an  
32 examination approved by the committee. The eligibility requirements for such examination  
33 shall be determined by the state committee for social workers;

34 (3) The applicant is at least eighteen years of age, is a United States citizen or has  
35 status as a legal resident alien, and has not been finally adjudicated and found guilty, or  
36 entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any  
37 state, of the United States, or of any country, for any offense directly related to the duties and  
38 responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not  
39 sentence is imposed;

40 (4) The applicant has submitted a written application on forms prescribed by the state  
41 board; and

42 (5) The applicant has submitted the required licensing fee, as determined by the  
43 committee.

44 3. Any applicant who answers in the affirmative to any question on the application  
45 that relates to possible grounds for denial of licensure under section 337.630 shall submit a  
46 sworn affidavit setting forth in detail the facts which explain such answer and copies of  
47 appropriate documents related to such answer.

48 4. The committee shall issue a license to each person who files an application and fee  
49 as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence  
50 satisfactory to the committee that the applicant has complied with the provisions of  
51 subsection 2 of this section. The license shall refer to the individual as a licensed master  
52 social worker and shall recognize that individual's right to practice licensed master social  
53 work as defined in section 337.600.

54           5. (1) Any person who holds a valid current master social work license issued by  
55 another state, a branch or unit of the military, a territory of the United States, or the District of  
56 Columbia, and who has been licensed for at least one year in such other jurisdiction, may  
57 submit to the committee an application for a master social work license in Missouri along  
58 with proof of current licensure and proof of licensure for at least one year in the other  
59 jurisdiction.

60           (2) The committee shall:

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

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

73           (3) (a) The committee shall not waive any examination, educational, or experience  
74 requirements for any applicant who has had his or her license revoked by an oversight body  
75 outside the state; who is currently under investigation, who has a complaint pending, or who  
76 is currently under disciplinary action, except as provided in paragraph (b) of this subdivision,  
77 with an oversight body outside the state; who does not hold a license in good standing with an  
78 oversight body outside the state; who has a criminal record that would disqualify him or her  
79 for licensure in Missouri; or who does not hold a valid current license in the other jurisdiction  
80 on the date the committee receives his or her application under this ~~section~~ **subsection**.

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

85           (4) Nothing in this subsection shall prohibit the committee from denying a license to  
86 an applicant under this subsection for any reason described in section 337.630.

87           (5) Any person who is licensed under the provisions of this subsection shall be  
88 subject to the committee's jurisdiction and all rules and regulations pertaining to the practice  
89 as a licensed master social worker in this state.

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

337.645. 1. Each applicant for licensure as an advanced macro social worker shall  
2 furnish evidence to the committee that:

3 (1) The applicant has:

4 (a) A master's degree from a college or university program of social work:

5 a. Accredited by the ~~[council of social work education]~~ **Council on Social Work**  
6 **Education; or**

7 **b. Recognized and approved by the committee in accordance with rules adopted**  
8 **by the committee under section 337.627 and in accordance with the procedure set forth**  
9 **in section 337.628; or**

10 (b) A doctorate degree from a school of social work acceptable to the committee;

11 (2) The applicant has completed at least three thousand hours of supervised advanced  
12 macro experience with a qualified advanced macro supervisor as defined in section 337.600  
13 in no less than twenty-four months and no more than forty-eight consecutive calendar months.  
14 For any applicant who has successfully completed at least four thousand hours of supervised  
15 advanced macro experience with a qualified advanced macro supervisor, as defined in section  
16 337.600, within the same time frame prescribed in this subsection, the applicant shall be  
17 eligible for application of licensure at three thousand hours and shall be furnished a certificate  
18 by the state committee for social workers acknowledging the completion of said additional  
19 hours;

20 (3) The applicant has achieved a passing score, as defined by the committee, on an  
21 examination approved by the committee. The eligibility requirements for such examination  
22 shall be promulgated by rule of the committee;

23 (4) The applicant is at least eighteen years of age, is a United States citizen or has  
24 status as a legal resident alien, and has not been finally adjudicated and found guilty, or  
25 entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any  
26 state, of the United States, or of any country, for any offense directly related to the duties and  
27 responsibilities of the occupation, as set forth in section 324.012, regardless of whether or not  
28 sentence is imposed.

29 2. Any person holding a current license, certificate of registration, or permit from  
30 another state or territory of the United States or the District of Columbia to practice advanced  
31 macro social work who has had no disciplinary action taken against the license, certificate of  
32 registration, or permit for the preceding five years may be granted a license to practice  
33 advanced macro social work in this state if the person meets one of the following criteria:

34 (1) Has:

35 (a) Received:



- 36           **a. A master's degree in social work from a social work program:**  
37           **(i) Accredited by the Council on Social Work Education; or**  
38           **(ii) Recognized and approved by the committee in accordance with rules**  
39 **adopted by the committee under section 337.627 and in accordance with the procedure**  
40 **set forth in section 337.628; or**
- 41           **b. A doctoral degree from a college or university program of social work accredited**  
42 **by the ~~[council of social work education]~~ Council on Social Work Education; and [has]**  
43           **(b) Been licensed to practice advanced macro social work for the preceding five**  
44 **years; or**
- 45           (2) Is currently licensed or certified as an advanced macro social worker in another  
46 state, territory of the United States, or the District of Columbia having substantially the same  
47 requirements as this state for advanced macro social workers.
- 48           3. The committee shall issue a license to each person who files an application and fee  
49 as required by the provisions of sections 337.600 to 337.689 and who furnishes evidence  
50 satisfactory to the committee that the applicant has complied with the provisions of  
51 subdivisions (1) to (4) of subsection 1 of this section or with the provisions of subsection 2 of  
52 this section.
- 337.647. 1. The committee shall develop a school social work program verification  
2 and acknowledgment of completion for individuals who have met the requirements set forth  
3 in this section.
- 4           2. The committee shall issue a document similar to the document described in  
5 subsection 2 of section 173.1400 to any individual who:
- 6           (1) Submits an application to the board;  
7           (2) Holds a credential in school social work issued by a nationally recognized  
8 credentialing organization in social work, or demonstrates competency in school social work  
9 by successful passage of a school social worker exam approved by the committee;  
10          (3) Holds a license issued by the committee; and  
11          (4) Submits the fee as required by rule of the committee.
- 12          3. The committee shall promulgate rules and shall charge fees necessary to implement  
13 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
14 created under the authority delegated in this section shall become effective only if it complies  
15 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
16 This section and chapter 536 are nonseverable and if any of the powers vested with the  
17 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
18 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
19 rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid  
20 and void.

21 4. Notwithstanding any provision of law to the contrary, any school social work  
22 program verification and acknowledgment of completion issued by the committee under  
23 subsection 2 of this section shall not be deemed a license, certificate, registration or permit for  
24 any purpose, and such documents convey no authority to practice social work in Missouri and  
25 convey no authority to use any social work title in Missouri. Each school social work  
26 program verification and acknowledgment of completion issued by the committee under  
27 subsection 2 of this section shall state on its face that it:

- 28 (1) Is not a license, certificate, registration or permit;
- 29 (2) Conveys no authority to practice social work in Missouri; and
- 30 (3) Conveys no authority to use any social work title in Missouri.

31 5. Notwithstanding any provision of law to the contrary, school social work program  
32 verification and acknowledgment of completion issued by the committee under subsection 2  
33 of this section shall not:

- 34 (1) Expire;
- 35 (2) Be subject to renewal;
- 36 (3) Be subject to denial or discipline under section 337.630; or
- 37 (4) ~~Be subject to suspension under section 324.010; or~~
- 38 (5) Be subject to any other action to which professional licenses may be subjected.

**337.702. 1. The state committee of marital and family therapists may require  
2 that fingerprint submissions be made as part of an application seeking licensure as a  
3 licensed marital and family therapist or provisional licensed marital and family  
4 therapist as such terms are defined in section 337.700.**

**5 2. If the state committee of marital and family therapists requires that  
6 fingerprint submissions be made as part of such application, the state committee of  
7 marital and family therapists shall require applicants to submit the fingerprints to the  
8 Missouri state highway patrol for the purpose of conducting a state and federal  
9 fingerprint-based criminal history background check.**

**10 3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the state committee of marital and family therapists of  
15 any criminal history record information or lack of criminal history record information  
16 discovered on the individual. Notwithstanding the provisions of section 610.120 to the  
17 contrary, all records related to any criminal history information discovered shall be  
18 accessible and available to the state committee of marital and family therapists.**

338.052. 1. The board of pharmacy may require that fingerprint submissions be made as part of an application seeking a license to practice pharmacy as a pharmacist, a certificate of registration as a pharmacy technician, a license as an intern pharmacist, a license as a wholesale drug distributor, a license as a third-party logistics provider, a temporary license as a pharmacist, a permit for the practice of pharmacy to be conducted at a pharmacy, and a license as a drug outsourcer, as provided in sections 338.010, 338.013, 338.035, 338.043, 338.050, 338.210, and 338.330, and a manager-in-charge, wholesale drug distributor facility manager, third-party logistics provider facility manager, wholesale drug distributor facility owner, or third-party logistics provider facility owner, as such terms are defined in subsection 4 of this section.

2. If the board of pharmacy requires that fingerprint submissions be made as part of such application, the board of pharmacy shall require applicants to submit the fingerprints to the Missouri state highway patrol for the purpose of conducting a state and federal fingerprint-based criminal history background check.

3. The fingerprints and any required fees shall be sent to the Missouri state highway patrol's central repository. The fingerprints shall be used for searching the state criminal records repository and shall also be forwarded to the Federal Bureau of Investigation for a federal criminal records search under section 43.540. The Missouri state highway patrol shall notify the board of pharmacy of any criminal history record information or lack of criminal history record information discovered on the individual. Notwithstanding the provisions of section 610.120 to the contrary, all records related to any criminal history information discovered shall be accessible and available to the board of pharmacy.

4. For purposes of this section, the following terms mean:

(1) "Manager-in-charge", a person who directly supervises a licensed wholesale drug distributor or a third-party logistics provider, as such terms are defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a wholesale drug distributor facility or third-party logistics provider facility;

(2) "Third-party logistics provider facility manager", a person who is a manager and direct supervisor of a licensed third-party logistics provider, as such term is defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a third-party logistics provider facility;

(3) "Third-party logistics provider facility owner", a person who is an owner with greater than ten percent ownership interest of a licensed third-party logistics provider, as such term is defined in section 338.330, and whose fingerprints are required by federal or state law for licensure of a third-party logistics provider facility;

37           (4) "Wholesale drug distributor facility manager", a person who is a manager of  
38 a wholesale drug distributor, as such term is defined in section 338.330, and whose  
39 fingerprints are required by federal or state law for licensure of a wholesale drug  
40 distributor facility;

41           (5) "Wholesale drug distributor facility owner", a person who is an owner with  
42 greater than ten percent ownership interest of a licensed wholesale drug distributor, as  
43 such term is defined in section 338.330, and whose fingerprints are required by federal  
44 or state law for licensure of a wholesale drug distributor facility.

          339.015. 1. The Missouri real estate commission may require that fingerprint  
2 submissions be made as part of an application seeking licensure as a real estate broker,  
3 real estate salesperson, and real estate broker-salesperson, as such terms are defined in  
4 section 339.010 and as provided in sections 339.030 and 339.040.

5           2. If the Missouri real estate commission requires that fingerprint submissions  
6 be made as part of such application, the Missouri real estate commission shall require  
7 applicants to submit the fingerprints to the Missouri state highway patrol for the  
8 purpose of conducting a state and federal fingerprint-based criminal history  
9 background check.

10          3. The fingerprints and any required fees shall be sent to the Missouri state  
11 highway patrol's central repository. The fingerprints shall be used for searching the  
12 state criminal records repository and shall also be forwarded to the Federal Bureau of  
13 Investigation for a federal criminal records search under section 43.540. The Missouri  
14 state highway patrol shall notify the Missouri real estate commission of any criminal  
15 history record information or lack of criminal history record information discovered on  
16 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
17 records related to any criminal history information discovered shall be accessible and  
18 available to the Missouri real estate commission.

          339.510. 1. The Missouri real estate appraisers commission may require that  
2 fingerprint submissions be made as part of an application seeking licensure as a  
3 certified residential appraiser, a certified residential appraiser trainee, a certified  
4 general appraiser, a certified general appraiser trainee, a state-licensed appraiser, a  
5 state-licensed appraiser trainee, an appraisal management company, a controlling  
6 person of an appraisal management company, and an owner of an appraisal  
7 management company.

8           2. If the Missouri real estate appraisers commission requires that fingerprint  
9 submissions be made as part of such application, the Missouri real estate appraisers  
10 commission shall require applicants to submit the fingerprints to the Missouri state

11 highway patrol for the purpose of conducting a state and federal fingerprint-based  
12 criminal history background check.

13         **3. The fingerprints and any required fees shall be sent to the Missouri state**  
14 **highway patrol's central repository. The fingerprints shall be used for searching the**  
15 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
16 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
17 **state highway patrol shall notify the Missouri real estate appraisers commission of any**  
18 **criminal history record information or lack of criminal history record information**  
19 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**  
20 **contrary, all records related to any criminal history information discovered shall be**  
21 **accessible and available to the Missouri real estate appraisers commission.**

22         **4. For purposes of this section, the following terms mean:**

23         **(1) "Appraisal management company", an individual that utilizes an appraisal**  
24 **panel and performs appraisal management services for licensure;**

25         **(2) "Appraisal management services", to perform any of the following functions**  
26 **on behalf of a lender, financial institution, or client:**

27             **(a) Administer an appraiser panel;**

28             **(b) Recruit, qualify, verify licensing or certification, and negotiate fees and**  
29 **service level expectations with persons who are part of an appraiser panel;**

30             **(c) Receive an order for an appraisal from one individual and deliver the order**  
31 **for the appraisal to an appraiser that is part of an appraiser panel for completion;**

32             **(d) Track and determine the status of orders for appraisals performed by**  
33 **appraisers who are part of an appraisal panel;**

34             **(e) Conduct quality control of a completed appraisal performed by an appraiser**  
35 **who is part of an appraisal panel prior to the delivery of the appraisal to the individual**  
36 **who ordered the appraisal; and**

37             **(f) Provide a completed appraisal performed by an appraiser who is part of an**  
38 **appraisal panel to one or more individuals who have ordered an appraisal;**

39         **(3) "Certified general appraiser", an individual who is qualified by education,**  
40 **experience, and examination to appraise any real property, and whose fingerprints are**  
41 **required for licensure;**

42         **(4) "Certified general appraiser trainee", an individual who, under supervision,**  
43 **is qualified to appraise certain real property and whose fingerprints are required for**  
44 **licensure;**

45         **(5) "Certified residential appraiser", an individual who is qualified to appraise**  
46 **certain real property and whose fingerprints are required for licensure;**

47 (6) "Certified residential appraiser trainee", an individual who, under  
48 supervision, is qualified to appraise certain real property and whose fingerprints are  
49 required for licensure;

50 (7) "Controlling person of an appraisal management company":

51 (a) An owner of an appraisal management company;

52 (b) An individual employed, appointed, or authorized by an appraisal  
53 management company that has the authority to enter into a contractual relationship  
54 with other persons for the performance of appraisal management services and has the  
55 authority to enter into agreements with appraisers for the performance of appraisals; or

56 (c) An individual who possesses the power to direct or cause the direction of the  
57 management or policies of an appraisal management company whose fingerprints are  
58 required for licensure;

59 (8) "Owner of an appraisal management company", an individual who owns ten  
60 percent or more of a licensed appraisal management company and whose fingerprints  
61 are required for licensure;

62 (9) "State-licensed appraiser", an individual who is qualified to appraise certain  
63 real property and whose fingerprints are required for licensure;

64 (10) "State-licensed appraiser trainee", an individual who, under supervision, is  
65 qualified to appraise certain real property and whose fingerprints are required for  
66 licensure.

345.016. 1. The state board of registration for the healing arts may require that  
2 fingerprint submissions be made as part of an application seeking a license, as described  
3 in section 345.020, or provisional license, as described in section 345.021, as an  
4 audiologist, an audiology aide, a speech-language pathologist, a speech-language  
5 pathology aide, and a speech-language pathology assistant, as such terms are defined  
6 in section 345.015.

7 2. If the state board of registration for the healing arts requires that fingerprint  
8 submissions be made as part of such application, the state board of registration for the  
9 healing arts shall require applicants to submit the fingerprints to the Missouri state  
10 highway patrol for the purpose of conducting a state and federal fingerprint-based  
11 criminal history background check.

12 3. The fingerprints and any required fees shall be sent to the Missouri state  
13 highway patrol's central repository. The fingerprints shall be used for searching the  
14 state criminal records repository and shall also be forwarded to the Federal Bureau of  
15 Investigation for a federal criminal records search under section 43.540. The Missouri  
16 state highway patrol shall notify the state board of registration for the healing arts of  
17 any criminal history record information or lack of criminal history record information

18 **discovered on the individual. Notwithstanding the provisions of section 610.120 to the**  
19 **contrary, all records related to any criminal history information discovered shall be**  
20 **accessible and available to the state board of registration for the healing arts.**

345.050. To be eligible for licensure by the board by examination, each applicant  
2 shall submit the application fee and shall furnish evidence of such person's current  
3 competence and shall:

4 (1) Hold a master's or a doctoral degree from a program that was awarded  
5 "accreditation candidate" status or is accredited by the Council on Academic Accreditation of  
6 the American Speech-Language-Hearing Association or other accrediting agency approved  
7 by the board in the area in which licensure is sought;

8 (2) Submit official transcripts from one or more accredited colleges or universities  
9 presenting evidence of the completion of course work and clinical practicum requirements  
10 equivalent to that required by the Council on Academic Accreditation of the American  
11 Speech-Language-Hearing Association or other accrediting agency approved by the board;

12 (3) Present written evidence of completion of a clinical fellowship from supervisors.  
13 The experience required by this subdivision shall follow the completion of the requirements  
14 of subdivisions (1) and (2) of this section. This period of employment shall be under the  
15 direct supervision of a ~~[person who is]~~ licensed ~~[by the state of Missouri in the profession in~~  
16 ~~which the applicant seeks to be licensed]~~ **speech-language pathologist in good standing.**  
17 Persons applying with an audiology clinical doctoral degree are exempt from this provision;  
18 and

19 (4) Pass an examination promulgated or approved by the board. The board shall  
20 determine the subject and scope of the examinations.

**374.711. 1. The department of commerce and insurance may require that**  
2 **fingerprint submissions be made as part of an application seeking a license, or renewal**  
3 **of a license, for a general bail bond agent, a bail bond agent, or a surety recovery agent,**  
4 **as such terms are defined in section 374.700.**

5 **2. If the department of commerce and insurance requires that fingerprint**  
6 **submissions be made as part of such application, the department of commerce and**  
7 **insurance shall require applicants to submit the fingerprints to the Missouri state**  
8 **highway patrol for the purpose of conducting a state and federal fingerprint-based**  
9 **criminal history background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**  
11 **highway patrol's central repository. The fingerprints shall be used for searching the**  
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
14 **state highway patrol shall notify the department of any criminal history record**

15 **information or lack of criminal history record information discovered on the individual.**  
16 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**  
17 **any criminal history information discovered shall be accessible and available to the**  
18 **department.**

2 **436.225. 1. The director of the division of professional registration may require**  
3 **that fingerprint submissions be made as part of an application seeking licensure as an**  
4 **athlete agent.**

5 **2. If the director of the division of professional registration requires that**  
6 **fingerprint submissions be made as part of such application, the director of the division**  
7 **of professional registration shall require applicants to submit the fingerprints to the**  
8 **Missouri state highway patrol for the purpose of conducting a state and federal**  
9 **fingerprint-based criminal history background check.**

10 **3. The fingerprints and any required fees shall be sent to the Missouri state**  
11 **highway patrol's central repository. The fingerprints shall be used for searching the**  
12 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
13 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
14 **state highway patrol shall notify the director of the division of professional registration**  
15 **of any criminal history record information or lack of criminal history record**  
16 **information discovered on the individual. Notwithstanding the provisions of section**  
17 **610.120 to the contrary, all records related to any criminal history information**  
18 **discovered shall be accessible and available to the director of the division of professional**  
19 **registration.**

20 **4. For purposes of this section, the term "athlete agent" means an individual**  
21 **who:**

22 **(1) Recruits or solicits a student athlete to enter into an agency contract or, for**  
23 **compensation, procures employment or offers, promises, attempts, or negotiates to**  
24 **obtain employment for a student athlete as a professional athlete or member of a**  
25 **professional sports team or organization;**

26 **(2) For compensation or in anticipation of compensation related to a student**  
27 **athlete's participation in athletics:**

28 **(a) Serves the student athlete in an advisory capacity on a matter related to**  
29 **finances, business pursuits, or career management decisions, unless the individual is an**  
30 **employee of an educational institution acting exclusively as an employee of the**  
31 **educational institution for the benefit of the educational institution; or**

32 **(b) Manages the business affairs of the student athlete by providing assistance**  
**with bills, payments, contracts, or taxes; or**



33           **(3) In anticipation of representing a student athlete for a purpose related to the**  
34 **student athlete's participation in athletics:**

35           **(a) Gives consideration to the student athlete or another person;**

36           **(b) Serves the student athlete in an advisory capacity on a matter related to**  
37 **finances, business pursuits, or career management decisions; or**

38           **(c) Manages the business affairs of the student athlete by providing assistance**  
39 **with bills, payments, contracts, or taxes.**

**443.702. 1. The division of finance may require that fingerprint submissions be**  
2 **made as part of an application seeking licensure to act as a residential mortgage loan**  
3 **broker or a mortgage loan originator.**

4           **2. If the division of finance requires that fingerprint submissions be made as part**  
5 **of such application, the division of finance shall require applicants to submit the**  
6 **fingerprints to the Missouri state highway patrol for the purpose of conducting a state**  
7 **and federal fingerprint-based criminal history background check.**

8           **3. The fingerprints and any required fees shall be sent to the Missouri state**  
9 **highway patrol's central repository. The fingerprints shall be used for searching the**  
10 **state criminal records repository and shall also be forwarded to the Federal Bureau of**  
11 **Investigation for a federal criminal records search under section 43.540. The Missouri**  
12 **state highway patrol shall notify the division of finance of any criminal history record**  
13 **information or lack of criminal history record information discovered on the individual.**  
14 **Notwithstanding the provisions of section 610.120 to the contrary, all records related to**  
15 **any criminal history information discovered shall be accessible and available to the**  
16 **division of finance.**

17           **4. For purposes of this section, the following terms mean:**

18           **(1) "Mortgage loan originator", an individual who for compensation or gain or**  
19 **in the expectation of compensation or gain takes a residential mortgage loan application,**  
20 **or offers or negotiates terms of a residential mortgage loan. Mortgage loan originator**  
21 **does not include:**

22           **(a) An individual engaged solely as a loan processor or underwriter except as**  
23 **otherwise provided in sections 443.701 to 443.893;**

24           **(b) An individual that only performs real estate brokerage activities and is**  
25 **licensed or registered in accordance with the law of this state, unless the person is**  
26 **compensated by a lender, a mortgage broker, or other mortgage loan originator or by**  
27 **any agent of such lender, mortgage broker, or other mortgage loan originator;**

28           **(c) An individual solely involved in extensions of credit relating to time-share**  
29 **plans, as the term time-share plans is defined in 11 U.S.C. Section 101(53D);**

30           **(d) An individual who is servicing a mortgage loan; or**

31 (e) An individual employed by a licensed mortgage broker or loan originator  
32 who accepts or receives residential mortgage loan applications;

33 (2) "Residential mortgage loan broker", an individual, other than an exempt  
34 individual, engaged in the business of brokering, funding, servicing, or purchasing  
35 residential mortgage loans.

476.802. 1. The office of state courts administrator may require that fingerprint  
2 submissions be made as part of the application of certification as a qualified interpreter,  
3 pursuant to section 476.800.

4 2. If the office of state courts administrator requires that fingerprint submissions  
5 be made as part of such application, the office of state courts administrator shall submit  
6 fingerprints to the Missouri state highway patrol for the purpose of conducting a state  
7 and federal fingerprint-based criminal history background check on applicants.

8 3. The fingerprints and any required fees shall be sent to the Missouri state  
9 highway patrol's central repository. The fingerprints shall be used for searching the  
10 state criminal records repository and shall also be forwarded to the Federal Bureau of  
11 Investigation for a federal criminal records search under section 43.540. The Missouri  
12 state highway patrol shall notify the office of state courts administrator of any criminal  
13 history record information or lack of criminal history record information discovered on  
14 the individual. Notwithstanding the provisions of section 610.120 to the contrary, all  
15 records related to any criminal history information discovered shall be accessible and  
16 available to the office of state courts administrator of Missouri.

484.125. 1. The Missouri supreme court may require that fingerprint  
2 submissions be made as part of an application of licensure for admission or  
3 reinstatement to the Missouri Bar in order to engage in the practice of law or law  
4 business, as such terms are defined in section 484.010.

5 2. If the Missouri supreme court requires that fingerprint submissions be made  
6 as part of such application, the Missouri supreme court shall submit the fingerprints to  
7 the Missouri state highway patrol for the purpose of conducting a state and federal  
8 fingerprint-based criminal history background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri  
13 state highway patrol shall notify the Missouri supreme court of any criminal history  
14 record information or lack of criminal history record information discovered on the  
15 individual. Notwithstanding the provisions of section 610.120 to the contrary, all

16 **records related to any criminal history information discovered shall be accessible and**  
17 **available to the Missouri supreme court.**

590.060. 1. The POST commission shall establish minimum standards for training  
2 instructors and training centers, and the director shall establish minimum qualifications for  
3 admittance into a basic training course.

4 2. The director shall license training instructors, centers, and curricula, and may  
5 probate, suspend and revoke such licenses upon written notice stating the reasons for such  
6 action. Any person aggrieved by a decision pursuant to this subsection may appeal as  
7 provided in chapter 536.

8 3. ~~[Each person seeking entrance into a basic training program shall submit a~~  
9 ~~fingerprint card and authorization for a criminal history background check to include the~~  
10 ~~records of the Federal Bureau of Investigation to the training center where such person is~~  
11 ~~seeking entrance. The training center shall cause a criminal history background check to be~~  
12 ~~made and shall cause the resulting report to be forwarded to the director. The person seeking~~  
13 ~~entrance may be charged a fee for the cost of this procedure.]~~ **Each person seeking entrance**  
14 **into a basic training program shall submit fingerprints for the purpose of conducting a**  
15 **state and federal fingerprint-based background check. Fingerprints and any required**  
16 **fees shall be sent to the Missouri state highway patrol's central repository. The**  
17 **fingerprints shall be used for searching the state criminal records repository and shall**  
18 **also be forwarded to the Federal Bureau of Investigation for a federal criminal records**  
19 **search under section 43.540. The Missouri state highway patrol shall notify the director**  
20 **of any criminal history record information or lack of criminal history record**  
21 **information discovered on the individual. Notwithstanding the provisions of section**  
22 **610.120 to the contrary, all records related to any criminal history information**  
23 **discovered shall be accessible and available to the director.**

640.011. 1. The department of natural resources may require that fingerprint  
2 submissions be made as part of an application seeking employment or to volunteer with  
3 the department of natural resources.

4 2. If the department of natural resources requires that fingerprint submissions  
5 be made as part of such application, the department of natural resources shall require  
6 applicants to submit the fingerprints to the Missouri state highway patrol for the  
7 purpose of conducting a state and federal fingerprint-based criminal history  
8 background check.

9 3. The fingerprints and any required fees shall be sent to the Missouri state  
10 highway patrol's central repository. The fingerprints shall be used for searching the  
11 state criminal records repository and shall also be forwarded to the Federal Bureau of  
12 Investigation for a federal criminal records search under section 43.540. The Missouri

13 **state highway patrol shall notify the department of natural resources of any criminal**  
14 **history record information or lack of criminal history record information discovered on**  
15 **the individual. Notwithstanding the provisions of section 610.120 to the contrary, all**  
16 **records related to any criminal history information discovered shall be accessible and**  
17 **available to the department of natural resources.**

~~[324.010.—~~

2 All governmental entities issuing professional licenses, certificates,  
3 registrations, or permits pursuant to sections 209.319 to 209.339, sections  
4 214.270 to 214.516, sections 256.010 to 256.453, section 375.014, sections  
5 436.005 to 436.071, and chapter 317 and chapters 324 to 346 shall provide the  
6 director of revenue with the name and Social Security number of each  
7 applicant for licensure with or licensee of such entities within one month of the  
8 date the application is filed or at least one month prior to the anticipated  
9 renewal of a licensee's license. If such licensee is delinquent on any state taxes  
10 or has failed to file state income tax returns in the last three years, the director  
11 shall then send notice to each such entity and licensee. In the case of such  
12 delinquency or failure to file, the licensee's license shall be suspended within  
13 ninety days after notice of such delinquency or failure to file, unless the  
14 director of revenue verifies that such delinquency or failure has been remedied  
15 or arrangements have been made to achieve such remedy. The director of  
16 revenue shall, within ten business days of notification to the governmental  
17 entity issuing the professional license that the delinquency has been remedied  
18 or arrangements have been made to remedy such delinquency, send written  
19 notification to the licensee that the delinquency has been remedied. Tax  
20 liability paid in protest or reasonably founded disputes with such liability shall  
21 be considered paid for the purposes of this section.]

~~[339.845.—~~

2 If the commission receives a notice of delinquent taxes from the director of  
3 revenue under the provisions of section 324.010 regarding a real estate broker  
4 or salesperson, the commission shall immediately send a copy of such notice  
5 to the real estate broker with which the real estate broker or salesperson is  
6 associated.]

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