

HB 992 -- CRIMINAL BACKGROUND CHECKS

SPONSOR: Myers

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Professional Registration and Licensing by a vote of 20 to 0. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 8 to 1.

The bill modifies provisions related to criminal background checks.

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

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

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

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

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

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

(6) The Missouri Board of Occupational Therapy, for applicants seeking licensure as an occupational therapist or occupational therapy assistant;

(7) The State Board of Registration for the Healing Arts, for applicants seeking licensure as a clinical perfusionist or provisional licensed clinical perfusionist, and for applicants seeking a permanent, temporary, or limited license as a physician or assistant physician, and applicants seeking licensure as an anesthesiologist assistant or a temporary license to practice as an anesthesiologist assistant, and for applicants seeking permanent or temporary license as a physical therapist or physical therapist assistant, and applicants seeking licensure as an athletic trainer, and for applicants seeking a license or temporary license as a physician assistant, and applicants seeking a license or provisional license as an audiologist, an audiology aide, a speech-language pathologist, a speech-language pathology aide, or a speech-language pathology assistant;

(8) The Board of Therapeutic Massage, for applicants seeking a license, provisional license, or student license as a massage therapist;

(9) The State Board of Chiropractic Examiners, for applicants seeking licensure as an acupuncturist or to practice chiropractic;

(10) The Board of Private Investigator and Private Fire Investigator Examiners, for applicants seeking licensure as a private investigator or private fire investigator;

(11) The State Board of Accountancy, for applicants seeking licensure as a certified public accountant or seeking permit for a certified public accounting firm;

(12) The State Board of Podiatric Medicine, for applicants seeking a permanent or temporary license to practice podiatric medicine or seeking a permanent podiatric medicine license with ankle certification;

(13) The Missouri Dental Board, for applicants seeking licensure as a dentist, a dental specialist, a volunteer dentist, a temporary dentist, a dental hygienist, or a volunteer dental hygienist, or for applicants seeking a limited dental teaching license or a dental faculty permit;

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

(15) The State Board of Nursing, for applicants seeking licensure to practice as a registered nurse, practical nurse, or advanced

practice registered nurse, and for those seeking employment with the Board;

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

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

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

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

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

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

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

(23) The Missouri Real Estate Appraisers Commission, for applicants seeking licensure or certification as a state-certified residential real estate appraiser, residential appraiser trainee, general real estate appraiser, or general appraiser trainee, or a state-licensed real estate appraiser or appraiser trainee, or an appraisal management company or a controlling person of an appraisal management company;

- (24) The Department of Commerce and Insurance, for applicants seeking a license, or renewal of license, as a general bail bond agent, a bail bond agent, or a surety recovery agent;
- (25) The Division of Professional Registration, for applicants seeking licensure as an athlete agent;
- (26) The Division of Finance, for applicants seeking licensure as a mortgage loan broker or mortgage loan originator;
- (27) The Office of State Courts Administrator, for applicants seeking a certification as a qualified interpreter;
- (28) The Supreme Court of Missouri, for applicants seeking admission or reinstatement to the state bar for the purpose of licensure to practice law as attorneys and counselors in this state;
- (29) The Peace Officer Standards and Training Commission, for applicants seeking entrance into a training program; and
- (30) The Department of Natural Resources, for applicants seeking to be employed or to volunteer with the Department.

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

Currently, if a child needs to be placed in a private home due to the unexpected absence of their parents or guardians, the juvenile court or children's division can request a background check. Law enforcement agencies conduct name-based criminal history checks on all residents over 17 in the home. The bill changes the age to over 18 years old.

Currently, if a child needs to be placed in a private home due to the unexpected absence of their parents or guardians, the children's division checks if any residents are listed on the child abuse and neglect registry. If the home hasn't been approved as a foster home, residents over 17 years old and any children less than 17 years old who have been certified as adults for crimes must provide fingerprints within 15 days. If anyone refuses to provide fingerprints, the child must be removed from the home immediately unless the person refusing to provide fingerprints ceases to reside in the private home. The bill changes those ages to over 18 years old and any children less than 18 years old who have been certified as adults for crimes.

This bill is similar to HCS HB 1800 (2024) and SCS SB 875 (2024).

PROPONENTS: Supporters say that this will put the State in compliance with what the FBI requires for background checks.

Testifying in person for the bill were Representative Myers; Alex Vivas, Missouri State Highway Patrol; Missouri Ambulance Association; Wesley Sutton, Division of Professional Registration.

OPPOSITION: No opposition was voiced to the committee.

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