

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 1083
103RD GENERAL ASSEMBLY

4018H.04C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 198.022, 324.001, 324.028, 324.400, 324.402, 324.403, 324.406, 324.409, 324.412, 324.415, 324.418, 324.421, 324.424, 324.427, 324.430, 324.433, 324.436, 324.439, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 334.031, 334.870, 334.880, 337.600, 345.050, 537.033, and 621.045, RSMo, and to enact in lieu thereof twenty-nine new sections relating to professional licensing, with penalty provisions, a severability clause, and an effective date for certain sections.

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

Section A. Sections 198.022, 324.001, 324.028, 324.400, 324.402, 324.403, 324.406, 2 324.409, 324.412, 324.415, 324.418, 324.421, 324.424, 324.427, 324.430, 324.433, 324.436, 3 324.439, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 334.031, 4 334.870, 334.880, 337.600, 345.050, 537.033, and 621.045, RSMo, are repealed and twenty- 5 nine new sections enacted in lieu thereof, to be known as sections 198.022, 324.001, 324.004, 6 324.028, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 327.700, 7 327.705, 327.710, 327.720, 327.725, 327.730, 327.735, 327.740, 327.745, 327.750, 334.031, 8 334.870, 334.880, 337.600, 345.050, 537.033, and 621.045, to read as follows:

198.022. 1. Upon receipt of an application for a license to operate a facility, the 2 department shall review the application, investigate the applicant and the statements sworn to 3 in the application for license and conduct any necessary inspections. A license shall be issued 4 if the following requirements are met:

- 5 (1) The statements in the application are true and correct;
- 6 (2) The facility and the operator are in substantial compliance with the provisions of 7 sections 198.003 to 198.096 and the standards established thereunder;

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.

8 (3) The applicant has the financial capacity to operate the facility;

9 (4) The administrator of an assisted living facility, a skilled nursing facility, or an
10 intermediate care facility is currently licensed under the provisions of chapter 344;

11 (5) Neither the operator nor any principals in the operation of the facility have ever
12 been convicted of a felony offense concerning the operation of a long-term health care facility
13 or other health care facility or ever knowingly acted or knowingly failed to perform any duty
14 which materially and adversely affected the health, safety, welfare or property of a resident,
15 while acting in a management capacity. The operator of the facility or any principal in the
16 operation of the facility shall not be under exclusion from participation in the Title XVIII
17 (Medicare) or Title XIX (Medicaid) program of any state or territory;

18 (6) Neither the operator nor any principals involved in the operation of the facility
19 have ever been convicted of a felony in any state or federal court arising out of conduct
20 involving either management of a long-term care facility or the provision or receipt of health
21 care; **and**

22 (7) All fees due to the state have been paid.

23 2. Upon denial of any application for a license, the department shall so notify the
24 applicant in writing, setting forth therein the reasons and grounds for denial.

25 3. The department may inspect any facility and any records and may make copies of
26 records, at the facility, at the department's own expense, required to be maintained by sections
27 198.003 to 198.096 or by the rules and regulations promulgated thereunder at any time if a
28 license has been issued to or an application for a license has been filed by the operator of such
29 facility. Copies of any records requested by the department shall be prepared by the staff of
30 such facility within two business days or as determined by the department. The department
31 shall not remove or disassemble any medical record during any inspection of the facility, but
32 may observe the photocopying or may make its own copies if the facility does not have the
33 technology to make the copies. In accordance with the provisions of section 198.525, the
34 department shall make at least one inspection per year, which shall be unannounced to the
35 operator. The department may make such other inspections, announced or unannounced, as it
36 deems necessary to carry out the provisions of sections 198.003 to 198.136.

37 4. Whenever the department has reasonable grounds to believe that a facility required
38 to be licensed under sections 198.003 to 198.096 is operating without a license, and the
39 department is not permitted access to inspect the facility, or when a licensed operator refuses
40 to permit access to the department to inspect the facility, the department shall apply to the
41 circuit court of the county in which the premises is located for an order authorizing entry for
42 such inspection, and the court shall issue the order if it finds reasonable grounds for
43 inspection or if it finds that a licensed operator has refused to permit the department access to
44 inspect the facility.

45 5. Whenever the department is inspecting a facility in response to an application from
46 an operator located outside of Missouri not previously licensed by the department, the
47 department may request from the applicant the past five years of compliance history of all
48 facilities owned by the applicant located outside of this state.

49 **6. (1) In lieu of any inspection required by sections 198.003 to 198.186 or**
50 **sections 198.525 to 198.528 for residential care facilities and assisted living facilities, the**
51 **department may accept, in whole or in part, written reports of the survey of any state or**
52 **federal agency, or of any professional accrediting agency, if such survey is:**

53 **(a) Comparable in scope and method to the department's surveys; and**

54 **(b) Conducted in accordance with Title XVIII of the Social Security Act.**

55 **(2) Failure by a residential care facility or assisted living facility to maintain an**
56 **accredited status by a recognized accrediting entity shall result in the assisted living**
57 **facility or residential care facility being subject to an inspection pursuant to section**
58 **198.525.**

59 **(3) The residential care facility or the assisted living facility shall provide to the**
60 **department the accreditation report verifying accreditation status to be published on**
61 **the department's website and made publicly available pursuant to section 198.030.**

62 **(4) The residential care facility or the assisted living facility shall immediately**
63 **forward any complaint or report of suspected abuse or neglect that is reported to the**
64 **accrediting entity to the department in the same manner as provided under section**
65 **198.070.**

66 **(5) If a facility that is exempted from an annual inspection under this subsection**
67 **has one or more violations of a class I standard, as described in section 198.085, such**
68 **facility shall be subject to a full survey by the state under this section.**

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~~, **professional** landscape
98 architects, **and licensed interior designers**, chapter 327; Missouri state board of chiropractic
99 examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri
100 dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state
101 board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of
102 pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate
103 appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340.
104 The governor shall appoint members of these boards by and with the advice and consent of
105 the senate.

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

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

120 (4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329,
121 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose
122 functions and responsibilities are in areas not related to the clerical duties involving the
123 issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial
124 management relating to issuance and renewal of licenses; specifically included are executive

125 secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and
126 secretarial support staff for these positions; and such other positions as are established and
127 authorized by statute for a particular board or commission. Boards and commissions may
128 employ legal counsel, if authorized by law, and temporary personnel if the board is unable to
129 meet its responsibilities with the employees authorized above. Any board or commission
130 which hires temporary employees shall annually provide the division director and the
131 appropriation committees of the general assembly with a complete list of all persons
132 employed in the previous year, the length of their employment, the amount of their
133 remuneration, and a description of their responsibilities.

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

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

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

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

157 (2) The boards may expend appropriated funds necessary for operational expenses of
158 the program formed under this subsection. Each board is authorized to accept grants to fund
159 the collection or analysis authorized in this subsection. Any such funds shall be deposited in
160 the respective board's fund.

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

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

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

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

**324.004. 1. Any person who has at least three years of work experience in an
2 occupation or profession in another state, the District of Columbia, or any combination
3 of such jurisdictions, and whose work experience involved the practice of an occupation
4 or profession for which a license is not required in the jurisdiction or jurisdictions in
5 which the person worked but is required in this state, may submit an application for a
6 one-time nonrenewable two-year temporary license in this state in the occupation or
7 profession, along with proof of at least three years of work experience in the occupation
8 or profession and a fee as set by regulation of the oversight body, to the relevant**

9 oversight body in this state. The oversight body shall make a determination of
10 qualification within forty-five days of receiving a completed application.

11 2. The oversight body shall require an applicant under this section to take and
12 pass the examination specific to the occupation or profession which is required for
13 licensure by those individuals applying pursuant to the provisions of the oversight
14 body's statutory and regulatory authority. An oversight body that administers an
15 examination on the laws of this state as part of its licensing application requirements
16 may require an applicant under this section to take and pass an examination specific to
17 the laws of this state.

18 3. The oversight body shall not issue a one-time nonrenewable temporary license
19 to any applicant described in subsection 1 of this section who has had any license in the
20 relevant occupation or profession revoked by an oversight body outside of this state,
21 who is currently under investigation, who has a complaint pending, or who is currently
22 under disciplinary action.

23 4. (1) Except as provided in subdivision (2) of this subsection, applicants for the
24 one-time temporary nonrenewable license under this section shall be citizens of the
25 United States or lawfully present noncitizens authorized to work in the United States
26 under federal law and shall submit legal proof of citizenship or employment
27 authorization that is acceptable for the employment eligibility verification under
28 federal law as part of the application. If the holder of a one-time nonrenewable
29 temporary license issued under this section loses lawful presence or federal work
30 authorization, the one-time nonrenewable temporary license shall automatically be
31 revoked.

32 (2) Applicants for the one-time nonrenewable temporary license under this
33 section in an occupation regulated by the board of therapeutic massage shall be citizens
34 of the United States and shall submit legal proof of citizenship as part of the application.

35 5. If an applicant is not currently residing in this state, the oversight body shall
36 conditionally approve the application contingent upon receipt of proof of domicile in
37 this state within sixty days of the applicant receiving the temporary license. If the
38 applicant fails to provide proof within sixty days of receiving the temporary license, the
39 oversight body may terminate the temporary license and the applicant may reapply for
40 a temporary license.

41 6. The provisions of this section shall not apply to the following:

42 (1) Any occupation whose oversight body has entered into a licensing compact
43 with another state for the regulation of practice under the oversight body's jurisdiction.
44 The provisions of this section shall not be construed to alter the authority granted by, or
45 any requirements promulgated pursuant to, any interjurisdictional or interstate

46 **compacts adopted by this state or any reciprocity agreements with other states, and**
47 **whenever possible the provisions of this section shall be interpreted so as to imply no**
48 **conflict between it and any compact or any reciprocity agreement with other states;**

49 **(2) Any occupation set forth in subsection 6 of section 290.257 or any electrical**
50 **contractor licensed under sections 324.900 to 324.945;**

51 **(3) Any occupation whose regulators or licensees are required to comply with**
52 **specific federal statutory, regulatory, and administrative requirements in order to**
53 **practice in this state; or**

54 **(4) Assistant physicians licensed under chapter 334.**

55 **7. The one-time nonrenewable temporary license shall expire after two years.**
56 **Upon expiration, the individual shall be required to apply for a permanent license in**
57 **accordance with the license requirements for the occupation for which he or she held the**
58 **temporary license.**

59 **8. Notwithstanding any other provision of law to the contrary, a license issued**
60 **under this section shall be valid only in this state and shall not make a licensee eligible to**
61 **be part of an interstate compact. An applicant who is licensed in another state pursuant**
62 **to an interstate compact shall not be eligible for licensure by an oversight body under**
63 **the provisions of this section.**

64 **9. Notwithstanding any other provision of law to the contrary, a license issued**
65 **under this section shall be valid only in this state and shall not make a licensee eligible to**
66 **obtain a license by reciprocity in another state.**

67 **10. As used in this section, the term "oversight body" means any board,**
68 **department, agency, or office of a jurisdiction that issues occupational or professional**
69 **licenses.**

70 **11. The division of professional registration may promulgate rules to implement**
71 **the provisions of this section. Any rule or portion of a rule, as that term is defined in**
72 **section 536.010, that is created under the authority delegated in this section shall**
73 **become effective only if it complies with and is subject to all of the provisions of chapter**
74 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
75 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
76 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
77 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
78 **adopted after August 28, 2026, shall be invalid and void.**

324.028. Any member authorized under the provisions of sections 256.459, 324.063,
2 324.177, 324.203, 324.243, ~~324.406,~~ 324.478, 326.259, 327.031, 329.015, 330.110,
3 331.090, 332.021, 333.151, 334.120, 334.430, 334.625, 334.717, 334.749, 334.830,
4 335.021, 336.130, 337.050, 337.305, 337.535, 337.622, 337.739, 338.110, 339.120,

5 340.202, 345.080, and 346.120 who misses three consecutive regularly scheduled meetings of
6 the board or council on which he **or she** serves shall forfeit his **or her** membership on that
7 board or council. A new member shall be appointed to the respective board or council by the
8 governor with the advice and consent of the senate.

327.011. As used in this chapter, the following words and terms shall have the
2 meanings indicated:

3 (1) "Accredited degree program from a school of architecture", a degree from any
4 school or other institution which teaches architecture and whose curricula for the degree in
5 question have been, at the time in question, certified as accredited by the National
6 Architectural Accrediting Board;

7 (2) "**Accredited degree program from a school of interior design**", a degree from
8 **any school or other institution which teaches interior design and whose curricula for the**
9 **degree in question have been, at the time in question, certified as accredited by the**
10 **Council for Interior Design Accreditation or an accreditation body recognized by the**
11 **United States Department of Education;**

12 (3) "Accredited school of engineering", any school or other institution which teaches
13 engineering and whose curricula on the subjects in question are or have been, at the time in
14 question certified as accredited by the engineering accreditation commission of the
15 accreditation board for engineering and technology or its successor organization;

16 [~~3~~] (4) "Accredited school of landscape architecture", any school or other institution
17 which teaches landscape architecture and whose curricula on the subjects in question are or
18 have been at the times in question certified as accredited by the Landscape Architecture
19 Accreditation Board of the American Society of Landscape Architects;

20 [(4)] (5) "Architect", any person authorized pursuant to the provisions of this chapter
21 to practice architecture in Missouri, as the practice of architecture is defined in section
22 327.091;

23 [(5)] (6) "Board", the Missouri board for architects, professional engineers,
24 professional land surveyors [~~and~~], professional landscape architects, **and licensed interior**
25 **designers;**

26 [(6)] (7) "Corporation", any general business corporation, professional corporation or
27 limited liability company;

28 [(7)] (8) "Design coordination", the review and coordination of technical submissions
29 prepared by others including, as appropriate and without limitation, architects, professional
30 engineers, professional land surveyors, professional landscape architects, **licensed interior**
31 **designers**, and other consultants;

32 [(8)] (9) "Design survey", a survey which includes all activities required to gather
33 information to support the sound conception, planning, design, construction, maintenance,

34 and operation of design projects, but excludes the surveying of real property for the
35 establishment of land boundaries, rights-of-way, easements, and the dependent or
36 independent surveys or resurveys of the public land survey system;

37 ~~[(9)]~~ **(10)** "Incidental practice", the performance of other professional services
38 licensed under this chapter that are related to a licensee's professional service, but are
39 secondary and substantially less in scope and magnitude when compared to the professional
40 services usually and normally performed by the licensee practicing in their licensed
41 profession. This incidental professional service shall be safely and competently performed by
42 the licensee without jeopardizing the health, safety, and welfare of the public. The licensee
43 shall be qualified by education, training, and experience as determined by the board and in
44 sections 327.091, 327.181, 327.272, ~~[and]~~ 327.600, **and 327.700** and applicable board rules
45 to perform such incidental professional service;

46 **(11) "Licensed interior designer", any person authorized pursuant to the**
47 **provisions of this chapter to practice as a licensed interior designer in Missouri, as the**
48 **practice of licensed interior design is defined in section 327.700;**

49 ~~[(10)]~~ **(12)** "Licensee", a person licensed to practice any profession regulated under
50 this chapter or a corporation authorized to practice any such profession;

51 ~~[(11)]~~ **(13)** "Partnership", any partnership or limited liability partnership;

52 ~~[(12)]~~ **(14)** "Person", any individual, corporation, firm, partnership, association or
53 other entity authorized to do business;

54 ~~[(13)]~~ **(15)** "Professional engineer", any person authorized pursuant to the provisions
55 of this chapter to practice as a professional engineer in Missouri, as the practice of
56 engineering is defined in section 327.181;

57 ~~[(14)]~~ **(16)** "Professional land surveyor", any person authorized pursuant to the
58 provisions of this chapter to practice as a professional land surveyor in Missouri as the
59 practice of land surveying is defined in section 327.272;

60 ~~[(15)]~~ **(17)** "Professional landscape architect", any person authorized pursuant to the
61 provisions of this chapter to practice as a professional landscape architect in Missouri as the
62 practice of **professional** landscape architecture is defined in section 327.600;

63 ~~[(16)]~~ **(18)** "Responsible charge", the independent direct control of a licensee's work
64 and personal supervision of such work pertaining to the practice of architecture, engineering,
65 land surveying, ~~[or]~~ landscape architecture, **or interior design.**

327.031. 1. The "Missouri Board for Architects, Professional Engineers, Professional
2 Land Surveyors ~~[and]~~, Professional Landscape Architects, **and Licensed Interior Designers**"
3 is hereby established and shall consist of ~~[fifteen]~~ **seventeen** members: a chairperson, who
4 may be either an architect, a professional engineer, a professional land surveyor, ~~[or]~~ a
5 professional landscape architect, **or a licensed interior designer**; three architects, who shall

6 constitute the architectural division of the board; four professional engineers, who shall
7 constitute its professional engineering division; three professional land surveyors, who shall
8 constitute its professional land surveying division; three professional landscape architects,
9 who shall constitute its professional landscape architectural division; **two licensed interior**
10 **designers, who shall constitute its licensed interior design division;** and a voting public
11 member.

12 2. After receiving his or her commission and before entering upon the discharge of
13 his or her official duties, each member of the board shall take, subscribe to and file in the
14 office of the secretary of state the official oath required by the constitution.

15 3. The chairperson shall be the administrative and executive officer of the board, and
16 it shall be his or her duty to supervise and expedite the work of the board and its divisions,
17 and, at his or her election, when a tie exists between the divisions of the board, to break the tie
18 by recording his or her vote for or against the action upon which the divisions are in
19 disagreement. Each member of the architectural division shall have one vote when voting on
20 an action pending before the board; each member of the professional engineering division
21 shall have one vote when voting on an action pending before the board; each member of the
22 professional land surveying division shall have one vote when voting on an action pending
23 before the board; ~~and~~ each member of the professional landscape architectural division shall
24 have one vote when voting on an action pending before the board; **and each member of the**
25 **licensed interior design division shall have one vote when voting on an action pending**
26 **before the board.** Every motion or proposed action upon which the divisions of the board
27 are tied shall be deemed lost, and the chairperson shall so declare, unless the chairperson shall
28 elect to break the tie as provided in this section. ~~Eight~~ **Nine** voting members of the board,
29 including at least one member of each division, shall constitute a quorum, respectively, for the
30 transaction of board business.

31 4. Each division of the board shall, at its first meeting in each even-numbered year,
32 elect one of its members as division chairperson for a term of two years. Two voting
33 members of each division of the board shall constitute a quorum for the transaction of
34 division business. The chairpersons of the architectural division, professional engineering
35 division, professional land surveying division, ~~and~~ professional landscape architectural
36 division, **and licensed interior design division** so elected shall be vice chairpersons of the
37 board~~, and~~. When the chairperson of the board is an architect, the chairperson of the
38 architectural division shall be the ranking vice chairperson~~, and~~; when the chairperson of the
39 board is a professional engineer, the chairperson of the professional engineering division shall
40 be the ranking vice chairperson~~, and~~; when the chairperson of the board is a professional land
41 surveyor, the chairperson of the professional land surveying division shall be the ranking vice
42 chairperson~~, and~~; when the chairperson of the board is a professional landscape architect,

43 the chairperson of the professional landscape architectural division shall be the ranking vice
44 chairperson; **and when the chairperson of the board is a licensed interior designer, the**
45 **chairperson of the licensed interior design division shall be the ranking vice**
46 **chairperson.** The chairperson of each division shall be the administrative and executive
47 officer of his or her division, and it shall be his or her duty to supervise and expedite the work
48 of the division, and, in case of a tie vote on any matter, the chairperson shall, at his or her
49 election, break the tie by his or her vote. Every motion or question pending before the
50 division upon which a tie exists shall be deemed lost, and so declared by the chairperson of
51 the division, unless the chairperson shall elect to break such tie by his or her vote.

52 **5. (1)** Any person appointed to the board, except a public member, shall be a
53 currently licensed architect, licensed professional engineer, licensed professional land
54 surveyor ~~[or]~~, licensed professional landscape architect, **or licensed interior designer** in
55 Missouri, as the vacancy on the board may require, who has been a resident of Missouri for at
56 least five years, who has been engaged in active practice as an architect, professional
57 engineer, professional land surveyor ~~[or]~~, professional landscape architect, **or licensed**
58 **interior designer**, as the case may be, for at least ten consecutive years as a Missouri licensee
59 immediately preceding such person's appointment, and who is and has been a citizen of the
60 United States for at least five years immediately preceding such person's appointment.

61 **(2) (a)** Active service as a faculty member while holding the rank of assistant
62 professor or higher in an accredited school of engineering shall be regarded as active practice
63 of engineering, for the purposes of this chapter.

64 **(b)** Active service as a faculty member, after meeting the qualifications required by
65 section 327.314, while holding the rank of assistant professor or higher in an accredited
66 school of engineering and teaching land surveying courses shall be regarded as active practice
67 of land surveying for the purposes of this chapter.

68 **(c)** Active service as a faculty member while holding the rank of assistant professor or
69 higher in an accredited school of landscape architecture shall be regarded as active practice of
70 landscape architecture, for the purposes of this chapter.

71 **(d)** Active service as a faculty member while holding the rank of assistant professor
72 or higher in an accredited school of architecture shall be regarded as active practice of
73 architecture for the purposes of this chapter; provided, however, that no faculty member of an
74 accredited school of architecture shall be eligible for appointment to the board unless such
75 person has had at least three years' experience in the active practice of architecture other than
76 in teaching.

77 **(e)** Active service as a faculty member while holding the rank of assistant
78 professor or higher in an accredited school of interior design shall be regarded as active
79 practice of licensed interior design for the purposes of this chapter, provided that no

80 **faculty member of an accredited school of interior design shall be eligible for**
81 **appointment to the board unless such person has had at least three years of experience**
82 **in the active practice of licensed interior design other than in teaching.**

83 (3) The public member shall be, at the time of appointment, a citizen of the United
84 States; a resident of this state for a period of one year and a registered voter; a person who is
85 not and never was a member of any profession licensed or regulated pursuant to this chapter
86 or the spouse of such person; and a person who does not have and never has had a material,
87 financial interest in either the providing of the professional services regulated by this chapter,
88 or an activity or organization directly related to any profession licensed or regulated pursuant
89 to this chapter. All members, including public members, shall be chosen from lists submitted
90 by the director of the division of professional registration. The duties of the public member
91 shall not include the determination of the technical requirements to be met for licensure or
92 whether any person meets such technical requirements or of the technical competence or
93 technical judgment of a licensee or a candidate for licensure.

94 6. The governor shall appoint the chairperson and the other members of the board
95 when a vacancy occurs either by the expiration of a term or otherwise, and each board
96 member shall serve until such member's successor is appointed and has qualified. The
97 position of chairperson shall rotate sequentially with an architect, then professional engineer,
98 then professional land surveyor, **then licensed interior designer, and** then professional
99 landscape architect, and shall be a licensee who has previously served as a member of the
100 board. The appointment of the chairperson shall be for a term of four years which shall be
101 deemed to have begun on the date of his or her appointment and shall end upon the
102 appointment of the chairperson's successor. The chairperson shall not serve more than one
103 term. All other appointments, except to fill an unexpired term, shall be for terms of four
104 years; but no person shall serve on the board for more than two consecutive four-year terms,
105 and each four-year term shall be deemed to have begun on the date of the expiration of the
106 term of the board member who is being replaced or reappointed, as the case may be. Any
107 appointment to the board which is made when the senate is not in session shall be submitted
108 to the senate for its advice and consent at its next session following the date of the
109 appointment.

110 7. In the event that a vacancy is to occur on the board because of the expiration of a
111 term, then ninety days prior to the expiration, or as soon as feasible after a vacancy otherwise
112 occurs, the president of the American Institute of Architects/Missouri if the vacancy to be
113 filled requires the appointment of an architect, the president of the Missouri Society of
114 Professional Engineers if the vacancy to be filled requires the appointment of a professional
115 engineer, the president of the Missouri Society of Professional Surveyors if the vacancy to be
116 filled requires the appointment of a professional land surveyor, ~~and~~ the president of the

117 Missouri Association of Landscape Architects if the vacancy to be filled requires the
118 appointment of a professional landscape architect, **and the president or other chief**
119 **executive of any Missouri chapter of the International Interior Design Association if the**
120 **vacancy to be filled requires the appointment of a licensed interior designer**, shall submit
121 to the director of the division of professional registration a list of five architects ~~[or]~~, five
122 professional engineers, ~~[or]~~ five professional land surveyors, ~~[or]~~ five professional landscape
123 architects, **or five licensed interior designers**, as the case may require, qualified and willing
124 to fill the vacancy in question, with the recommendation that the governor appoint one of the
125 five persons so listed; and with the list of names so submitted, the president **or other chief**
126 **executive** of the appropriate organization shall include in a letter of transmittal a description
127 of the method by which the names were chosen. This subsection shall not apply to public
128 member vacancies.

129 8. The board may sue and be sued as the Missouri board for architects, professional
130 engineers, professional land surveyors ~~[and]~~, professional landscape architects, **and licensed**
131 **interior designers**, and its members need not be named as parties. Members of the board
132 shall not be personally liable either jointly or severally for any act or acts committed in the
133 performance of their official duties as board members, nor shall any board member be
134 personally liable for any court costs which accrue in any action by or against the board.

135 **9. Upon appointment by the governor and confirmation by the senate of the two**
136 **licensed interior designers to be first appointed to the interior design division of the**
137 **board, the interior design council shall be abolished and all of its powers, duties, and**
138 **responsibilities shall be transferred and imposed upon the board pursuant to this**
139 **section. Every act performed by or under the authority of the board shall be deemed to**
140 **have the same force and effect as if performed by the interior design council pursuant to**
141 **the authority granted to the interior design council prior to August 28, 2026. All rules of**
142 **the interior design council shall continue in effect and shall be deemed to be duly**
143 **adopted by the board until such rules are revised, amended, or repealed by the board as**
144 **provided by law, of which such action shall be taken by the board on or before January**
145 **1, 2027.**

327.041. 1. The board shall have the duty and the power to carry out the purposes
2 and to enforce and administer the provisions of this chapter, to require, by summons or
3 subpoena, with the vote of two-thirds of the voting board members, the attendance and
4 testimony of witnesses, and the production of drawings, plans, plats, specifications, books,
5 papers or any document representing any matter under hearing or investigation, pertaining to
6 the issuance, probation, suspension or revocation of certificates of registration or certificates
7 of authority provided for in this chapter, or pertaining to the unlawful practice of architecture,

8 professional engineering, professional land surveying [~~or~~], professional landscape
9 architecture, **or licensed interior design.**

10 2. The board shall, within the scope and purview of the provisions of this chapter,
11 prescribe the duties of its officers and employees and adopt, publish and enforce the rules and
12 regulations of professional conduct which shall establish and maintain appropriate standards
13 of competence and integrity in the professions of architecture, professional engineering,
14 professional land surveying [~~and~~], professional landscape architecture, **and licensed interior**
15 **design**, and adopt, publish and enforce procedural rules and regulations as may be considered
16 by the board to be necessary or proper for the conduct of the board's business and the
17 management of its affairs, and for the effective administration and interpretation of the
18 provisions of this chapter. Any rule or portion of a rule, as that term is defined in section
19 536.010, that is created under the authority delegated in this chapter shall become effective
20 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
21 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
22 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date
23 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
24 rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid
25 and void.

26 3. Rules promulgated by the board pursuant to sections 327.272 to 327.635 shall be
27 consistent with and shall not supersede the rules promulgated by the department of natural
28 resources pursuant to chapter 60.

327.081. 1. All funds received pursuant to the provisions of this chapter shall be
2 deposited in the state treasury to the credit of the "State Board for Architects, Professional
3 Engineers, Professional Land Surveyors [~~and~~], Professional Landscape Architects, **and**
4 **Licensed Interior Designers Fund**" which is hereby established. All expenditures authorized
5 by this chapter shall be paid from funds appropriated to the board by the general assembly
6 from this fund.

7 2. The provisions of section 33.080 to the contrary notwithstanding, money in this
8 fund shall not be transferred and placed to the credit of general revenue until the amount in
9 the fund at the end of the biennium exceeds two times the amount of the appropriation from
10 the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal
11 less frequently than yearly, then three times the appropriation from the board's funds for the
12 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
13 fund which exceeds the appropriate multiple of the appropriations from the board's funds for
14 the preceding fiscal year.

15 **3. Upon appointment by the governor and confirmation by the senate of the two**
16 **licensed interior designers to be first appointed to the interior design division of the**

17 **board, all moneys in the interior designer council fund shall be transferred to the state**
18 **board for architects, professional engineers, professional land surveyors, professional**
19 **landscape architects, and licensed interior designers fund. The interior designer council**
20 **fund shall be abolished upon the transfer of all moneys in the fund to the state board for**
21 **architects, professional engineers, professional land surveyors, professional landscape**
22 **architects, and licensed interior designers fund.**

327.381. The board may license, in its discretion, any architect, professional engineer,
2 professional land surveyor, or professional landscape architect **who is licensed, or any**
3 **interior designer who is licensed, certified, or registered**, in another state or territory of the
4 United States, province of Canada, or in another country, when such applicant has
5 qualifications which are at least equivalent to the requirements for licensure as an architect,
6 professional engineer, professional land surveyor, ~~or~~ professional landscape architect, **or**
7 **licensed interior designer** in this state, and provided further that the board may establish by
8 rule the conditions under which it shall require any such applicant to take any examination it
9 considers necessary, and provided further that any such application is accompanied by the
10 required fee.

327.411. 1. Each architect and each professional engineer and each professional land
2 surveyor and each professional landscape architect **and each licensed interior designer** shall
3 have a personal seal in a form prescribed by the board, and he or she shall affix the seal to all
4 final technical submissions. Technical submissions shall include, but are not limited to,
5 drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction
6 prepared by the licensee, or under such licensee's immediate personal supervision. Such
7 licensee shall either prepare or personally supervise the preparation of all documents sealed
8 by the licensee, and such licensee shall be held personally responsible for the contents of all
9 such documents sealed by such licensee, whether prepared or drafted by another licensee or
10 not.

2. The personal seal of an architect or professional engineer or professional land
12 surveyor or professional landscape architect **or licensed interior designer** shall be the legal
13 equivalent of the licensee's signature whenever and wherever used, and the owner of the seal
14 shall be responsible for the architectural, engineering, land surveying, ~~or~~ landscape
15 architectural, **or interior design** documents, as the case may be, when the licensee places his
16 or her personal seal on such technical submissions to be used in connection with, any
17 architectural or engineering project, survey, ~~or~~ landscape architectural project, **or interior**
18 **alteration or construction project, as such term is defined in section 327.700.** Licensees
19 shall undertake to perform architectural, professional engineering, professional land
20 surveying ~~and~~, professional landscape architectural, **and licensed interior design**

21 services only when they are qualified by education, training, and experience in the specific
22 technical areas involved.

23 3. Notwithstanding any provision of this section, any architect, professional engineer,
24 professional land surveyor, ~~or~~ professional landscape architect, **or licensed interior**
25 **designer** may, but is not required to, attach a statement over his or her signature,
26 authenticated by his or her personal seal, specifying the particular technical submissions, or
27 portions thereof, intended to be authenticated by the seal, and disclaiming any responsibility
28 for all other technical submissions relating to or intended to be used for any part or parts of
29 the architectural or engineering project ~~or~~, survey ~~or~~, landscape architectural project, **or**
30 **interior alteration or construction project, as such term is defined in section 327.700.**

31 4. Nothing in this section, or any rule or regulation of the board shall require any
32 professional to seal preliminary or incomplete documents.

327.442. 1. At such time as the final trial proceedings are concluded whereby a
2 licensee, or any person who has failed to renew or has surrendered his or her certificate of
3 licensure or authority, has been **finally** adjudicated and found guilty, or has entered a plea of
4 guilty or nolo contendere, in a ~~felony~~ **criminal** prosecution pursuant to the laws of ~~this~~
5 **any state, [the laws of any other state, territory, or the laws] of the United States [of America],**
6 **or of any country** for any offense ~~reasonably~~ **directly** related to the ~~qualifications,~~
7 ~~functions, or] duties [of a licensee pursuant to this chapter or any felony offense, an essential~~
8 ~~element of which is fraud, dishonesty, or an act of violence, or for any felony offense~~
9 ~~involving moral turpitude,] and responsibilities of the occupation, as set forth in section~~
10 **324.012, regardless of** whether or not sentence is imposed, the board for architects,
11 professional engineers, professional land surveyors ~~and~~, professional landscape architects,
12 **and licensed interior designers** may hold a disciplinary hearing to singly or in combination
13 censure or place the licensee named in the complaint on probation on such terms and
14 conditions as the board deems appropriate for a period not to exceed five years, or may
15 suspend, for a period not to exceed three years, or revoke the license or certificate.

16 2. Anyone who has been revoked or denied a license or certificate to practice in
17 another state may automatically be denied a license or certificate to practice in this state.
18 However, the board for architects, professional engineers, professional land surveyors ~~and~~,
19 professional landscape architects, **and licensed interior designers** may establish other
20 qualifications by which a person may ultimately be qualified and licensed to practice in
21 Missouri.

327.451. 1. Any person who believes that an architect or a professional engineer or a
2 professional land surveyor or a professional landscape architect **or a licensed interior**
3 **designer** has acted or failed to act so that his or her license or certificate of authority should,
4 pursuant to the provisions of this chapter, be suspended or revoked, or who believes that any

5 applicant for a license or certificate of authority pursuant to the provisions of this chapter is
6 not entitled to a license or a certificate of authority, may file a written affidavit with the
7 executive director of the board which the affiant shall sign and swear to and in which the
8 affiant shall clearly set forth the reasons for the affiant's charge or charges that the license or
9 certificate **of authority** of an architect or professional engineer or professional land surveyor
10 or professional landscape architect **or licensed interior designer** should be suspended or
11 revoked or not renewed or that a license or certificate **of authority** should not be issued to an
12 applicant.

13 2. If the affidavit so filed does not contain statements of fact which if true would
14 authorize, pursuant to the provisions of this chapter, suspension or revocation of the accused's
15 license or certificate **of authority**, or does not contain statements of fact which if true would
16 authorize, pursuant to the provisions of this chapter, the refusal of the renewal of an existing
17 license or certificate **of authority** or the refusal of a license or certificate **of authority** to an
18 applicant, the board shall either dismiss the charge or charges or, within its discretion, cause
19 an investigation to be made of the charges contained in the affidavit, after which investigation
20 the board shall either dismiss the charge or charges or proceed against the accused by written
21 complaint as provided in subsection 3 of this section.

22 3. If the affidavit contains statements of fact which if true would authorize pursuant to
23 the provisions of this chapter the revocation or suspension of an accused's license or
24 certificate **of authority**, the board shall cause an investigation to be made of the charge or
25 charges contained in the affidavit and unless the investigation discloses the falsity of the facts
26 upon which the charge or charges in the affidavit are based, the board shall file with and in the
27 administrative hearing commission a written complaint against the accused setting forth the
28 cause or causes for which the accused's license or certificate of authority should be suspended
29 or revoked. Thereafter, the board shall be governed by and shall proceed in accordance with
30 the provisions of chapter 621.

31 4. If the charges contained in the affidavit filed with the board would constitute a
32 cause or causes for which pursuant to the provisions of this chapter an accused's license or
33 certificate of authority should not be renewed or a cause or causes for which pursuant to the
34 provisions of this chapter a certificate should not be issued, the board shall cause an
35 investigation to be made of the charge or charges and unless the investigation discloses the
36 falsity of the facts upon which the charge or charges contained in the affidavit are based, the
37 board shall refuse to permit an applicant to be examined upon the applicant's qualifications
38 for licensure or shall refuse to issue or renew a license or certificate of authority, as the case
39 may require.

40 5. The provisions of this section shall not be so construed as to prevent the board on
41 its own initiative from instituting and conducting investigations and based thereon to make
42 written complaints in and to the administrative hearing commission.

43 6. If for any reason the provisions of chapter 621 become inapplicable to the board,
44 then, and in that event, the board shall proceed to charge, adjudicate and otherwise act in
45 accordance with the provisions of chapter 536.

~~[324.400.]~~ **327.700.** As used in sections ~~[324.400 to 324.439]~~ **327.700 to 327.750**, the
2 following terms mean:

3 (1) ~~["Council", the interior design council created in section 324.406;~~

4 (2) ~~"Division", the division of professional registration;~~

5 (3) ~~"Registered interior designer", a design professional who provides services
6 including preparation of documents and specifications relative to nonload-bearing interior
7 construction, furniture, finishes, fixtures and equipment and who meets the criteria of
8 education, experience and examination as provided in sections 324.400 to 324.439]~~

9 **"Building equipment", any mechanical, plumbing, electrical, or structural components,
10 including a conveyance, designed for or located in a building or structure;**

11 (2) **"Conveyance", an elevator, dumbwaiter, vertical reciprocating conveyor,
12 escalator, or other motorized vertical transportation system;**

13 (3) **"Interior alteration or construction project", a project, including
14 construction, modification, renovation, rehabilitation, or historic preservation, for an
15 interior space or area within a proposed or existing building or structure that involves
16 changing or altering:**

17 (a) **The design function or layout of a room; or**

18 (b) **The state of permanent fixtures or equipment;**

19 (4) **"Interior nonstructural element", an interior design element that does not
20 require structural bracing and that is not load-bearing according to any applicable
21 building codes;**

22 (5) **"Interior technical submission", the designs, drawings, and specifications
23 that establish the scope of the interior alteration or construction project, the standard of
24 quality for any materials, workmanship, equipment, and construction systems of an
25 interior alteration or construction project, and the studies and other technical reports
26 and calculations prepared in the course of the practice of licensed interior design;**

27 (6) **"Practice of licensed interior design", the design of interior spaces as a part
28 of an interior alteration or construction project in conformity with public health, safety,
29 and welfare requirements, including the preparation of documents relating to building
30 code descriptions, project egress plans that require no increase in the capacity of exits in
31 the space affected, space planning, and finish materials, and the preparation of**

32 documents and interior technical submissions relating to an interior alteration or
33 construction project. The term "practice of licensed interior design":

34 (a) Shall include:

35 a. The programming, planning, pre-design analysis, and conceptual design of
36 any interior nonstructural elements including, but not limited to, the selection of
37 materials, except for building equipment;

38 b. The alteration or construction of any interior nonstructural elements and any
39 interior technical submissions related to such alteration or construction;

40 c. The preparation of a physical plan of space within a proposed or existing
41 building or structure, including:

42 (i) Determinations of circulation systems or patterns;

43 (ii) Determinations of the location of exit requirements based on occupancy
44 loads; and

45 (iii) Assessments and analyses of any interior safety factors to comply with
46 applicable building codes related to interior nonstructural elements;

47 d. The rendering of designs, plans, drawings, specifications, contract documents,
48 or other interior technical submissions; and

49 e. The administration of the construction of interior nonstructural elements and
50 contracts relating to interior nonstructural elements in the interior alteration or
51 construction of a proposed or existing building or structure; and

52 (b) Shall not include:

53 a. Services or work that constitute the practice of architecture, as provided in
54 section 327.091, except as otherwise provided for in this chapter;

55 b. Services or work that constitute the practice of professional engineering, as
56 provided in section 327.181;

57 c. Services or work that constitute the practice of professional land surveying, as
58 provided in section 327.272;

59 d. Services or work that constitute the practice of professional landscape
60 architecture, as defined in section 327.600;

61 e. Altering or affecting the structural system and seismic system of a building,
62 including changing the building's live or dead load on the structural system;

63 f. Changes to the building envelope, including exterior walls, exterior wall
64 coverings, exterior wall openings, exterior windows or doors, architectural trim,
65 balconies and similar projections, bay or oriel windows, roof assemblies and rooftop
66 structures, and glass and glazing for exterior use in both vertical, horizontal, and sloped
67 applications in buildings and structures;

- 68 **g. Altering or affecting the mechanical, plumbing, heating, air conditioning,**
 69 **ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm systems, and**
 70 **any building elements, spaces, or areas that are for the purpose of containing such**
 71 **systems;**
- 72 **h. Changes beyond the exit access component of a means of egress system;**
- 73 **i. Construction that materially affects any life safety systems pertaining to fire**
 74 **safety or fire protection of structural elements, smoke evacuation and**
 75 **compartmentalization systems, or fire-rated vertical shafts in multi-story structures;**
- 76 **j. Changes to the existing use group for an occupancy;**
- 77 **k. Changes to the construction classification of the building or structure**
 78 **according to any applicable building codes;**
- 79 **l. Creating or modifying any atriums, floor openings, community spaces, or**
 80 **vertical openings; or**
- 81 **m. Any person who renders services within the practice of licensed interior**
 82 **design in connection with the construction, remodeling, or repairing of any privately**
 83 **owned building described in item (i), (ii), or (iii) of this subparagraph, and who indicates**
 84 **on any drawings, specifications, estimates, reports, or other documents furnished in**
 85 **connection with the services within the practice of licensed interior design that the**
 86 **person is not a licensed interior designer:**
- 87 **(i) A dwelling house;**
- 88 **(ii) A multiple family dwelling house, flat, or apartment containing not more**
 89 **than two families; or**
- 90 **(iii) Any one building or structure, except for those buildings or structures used**
 91 **exclusively for agricultural purposes, which provides for the employment, assembly,**
 92 **housing, sleeping, or eating of not more than nine persons, contains less than two**
 93 **thousand square feet, and is not part of another building or structure.**

[324.402.] **327.705.** The state or any county, municipality, or other political
 2 subdivision shall not require the use of a ~~[registered]~~ **licensed** interior designer for any
 3 residential building, residential remodeling, residential rehabilitation, or residential
 4 construction purposes.

[324.403.] **327.710. 1.** No person may use the name or title, ~~[registered]~~ **licensed**
 2 interior designer, in this state unless that person is ~~[registered]~~ **licensed** as required by
 3 sections ~~[324.400 to 324.439]~~ **327.700 to 327.750.**

4 **2. A licensed interior designer shall undertake to perform services within the**
 5 **practice of licensed interior design only when he or she is qualified by education,**
 6 **training, and experience in the specific technical areas involved.**

7 **3. Licensed interior designers shall be in responsible charge of interior design**
8 **technical submissions that can affect the health, safety, and welfare of the public within**
9 **their scope of practice. Licensed interior designers shall not take responsible charge**
10 **over interior technical submissions prepared by another person unless the licensed**
11 **interior designer reviewing such interior technical submissions actually exercises**
12 **personal supervision and direct control over the interior technical submissions.** Nothing
13 in ~~[sections 324.400 to 324.439]~~ **this chapter** shall be construed as limiting or preventing the
14 practice of a person's **interior design** profession or restricting a person from providing
15 ~~[interior design]~~ **services within the practice of licensed interior design**, provided such
16 person does not indicate to the public that such person is ~~[registered]~~ **licensed** as an interior
17 designer pursuant to the provisions of sections ~~[324.400 to 324.439]~~ **327.700 to 327.750.**

18 **4. Nothing in this chapter shall be construed as in any way precluding an**
19 **architect from performing any of the services included within the practice of licensed**
20 **interior design.**

~~[324.409.]~~ **327.720.** 1. To be a ~~[registered]~~ **licensed** interior designer, a person:

2 (1) Shall take and pass or have passed the examination administered by the ~~[National]~~
3 Council for Interior Design Qualification or an equivalent examination approved by the
4 ~~[division]~~ **board**. In addition to proof of passage of the examination, the application shall
5 provide substantial evidence to the ~~[division]~~ **board** that the applicant:

6 (a) Is a graduate of a five-year or four-year **accredited degree program from a**
7 **school of interior design** ~~[program from an accredited institution]~~ and has completed at least
8 two years of diversified and appropriate interior design experience; or

9 (b) ~~[Has completed at least three years of an interior design curriculum from an~~
10 ~~accredited institution and has completed at least three years of diversified and appropriate~~
11 ~~interior design experience; or~~

12 ~~(e)]~~ Is a graduate of a two-year **accredited degree program from a school of interior**
13 **design** ~~[program from an accredited institution]~~ and has completed at least four years of
14 diversified and appropriate interior design experience; or

15 (2) May qualify who is currently ~~[registered]~~ **licensed** pursuant to sections 327.091 to
16 327.171, and section 327.401 pertaining to the practice of architecture ~~[and registered with~~
17 ~~the division. Such applicant shall give authorization to the division in order to verify current~~
18 ~~registration with sections 327.091 to 327.171 and section 327.401 pertaining to the practice of~~
19 ~~architecture].~~

20 2. An applicant whose curriculum or transcript has been approved by the board
21 **shall be exempt from the requirement to provide substantial evidence that the applicant**
22 **meets the requirements of paragraph (a) or (b) of subdivision (1) of subsection 1 of this**
23 **section.**

24 **3.** The ~~[division]~~ **board** shall verify if an applicant has complied with the provisions
25 of this section and has paid the required fees, then the ~~[division]~~ **board** shall recommend such
26 applicant be ~~[registered]~~ **licensed** as a ~~[registered]~~ **licensed** interior designer by the ~~[division]~~
27 **board**.

~~[324.415.]~~ **327.725.** Applications for ~~[registration]~~ **licensure** as a ~~[registered]~~
2 **licensed** interior designer shall be typewritten on forms prescribed by the ~~[division]~~ **board**
3 and furnished to the applicant. The application shall contain the applicant's statements
4 showing the applicant's education, experience, results of previous interior design certification,
5 registration, or licensing examinations, if any, and such other pertinent information as the
6 ~~[division]~~ **board** may require, or architect's **license** or registration number and such other
7 pertinent information as the ~~[division]~~ **board** may require. Each application shall contain a
8 statement that is made under oath or affirmation and that the representations are true and
9 correct to the best knowledge and belief of the person signing the application. The person
10 shall be subject to the penalties for making a false affidavit or declaration and shall be
11 accompanied by the required fee.

~~[324.418.]~~ **327.730.** 1. The ~~[certificate of registration]~~ **license** issued biennially to a
2 ~~[registered]~~ **licensed** interior designer pursuant to sections ~~[324.400 to 324.439]~~ **327.700 to**
3 **327.750** shall be renewed on or before the ~~[certificate]~~ **license** renewal date accompanied by
4 the required fee. The ~~[certificate of registration]~~ **license** of a ~~[registered]~~ **licensed** interior
5 designer which is not renewed within three months after the ~~[certificate]~~ **license** renewal date
6 shall be suspended automatically, subject to the right of the holder to have the suspended
7 ~~[certificate of registration]~~ **license** reinstated within nine months of the date of suspension if
8 the person pays the required reinstatement fee. Any ~~[certificate of registration]~~ **license**
9 suspended and not reinstated within nine months of the suspension date shall expire and be
10 void and the holder of such ~~[certificate]~~ **license** shall have no rights or privileges provided to
11 holders of valid ~~[certificates]~~ **licenses**. Any person whose ~~[certificate of registration]~~ **license**
12 has expired may, upon demonstration of current qualifications and payment of required fees,
13 be ~~[reregistered]~~ **relicensed** or reauthorized under the person's original ~~[certificate of~~
14 ~~registration]~~ **license** number.

15 2. Each application for the renewal or reinstatement of a ~~[registration]~~ **license** shall be
16 on a form furnished to the applicant and shall be accompanied by the required fees ~~[and proof~~
17 ~~of current completion of at least one unit every two years of approved or verifiable continuing~~
18 ~~education in interior design or architecture, immediately prior to such renewal or~~
19 ~~reinstatement. Ten contact hours constitutes one continuing education unit. Five contact~~
20 ~~hours of teaching in interior design or architecture constitutes one continuing education unit.~~
21 ~~One college course credit in interior design or architecture constitutes one continuing~~
22 ~~education unit].~~

23 **3. The board shall establish, by rule, continuing education requirements as a**
 24 **condition to renewing or reinstating the license of an interior designer that are**
 25 **substantially equivalent to the continuing education requirements for architects.**

~~[324.427.]~~ **327.735.** It is unlawful for any person to advertise or indicate to the public
 2 that the person is a ~~[registered]~~ **licensed** interior designer in this state, unless such person is
 3 ~~[registered]~~ **licensed** as a ~~[registered]~~ **licensed** interior designer by the ~~[division]~~ **board** and is
 4 in good standing pursuant to sections ~~[324.400 to 324.439]~~ **327.700 to 327.750.**

~~[324.430.]~~ **327.740.** No person may use the designation ~~[registered]~~ **licensed** interior
 2 designer in Missouri, unless the ~~[division]~~ **board** has issued a current ~~[certificate of~~
 3 ~~registration]~~ **license** certifying that the person has been duly ~~[registered]~~ **licensed** as a
 4 ~~[registered]~~ **licensed** interior designer in Missouri and unless such ~~[registration]~~ **license** has
 5 been renewed or reinstated as provided in section ~~[324.418]~~ **327.730.**

~~[324.433.]~~ **327.745.** The right to use the title of ~~[registered]~~ **licensed** interior designer
 2 shall be deemed a personal right, based upon the qualifications of the individual, evidenced
 3 by the person's current ~~[certificate of registration]~~ **license** and such ~~[certificate]~~ **license** is not
 4 transferable; except that, a ~~[registered]~~ **licensed** interior designer may perform the ~~[interior~~
 5 ~~designer's profession]~~ **practice of licensed interior design** through, or as a member of, or as
 6 an employee of, a partnership or corporation.

~~[324.439.]~~ **327.750.** ~~[After twenty four months after August 28, 1998,]~~ Any person
 2 who violates any provision of sections ~~[324.400 to 324.439]~~ **327.700 to 327.750** shall be
 3 guilty of a class A misdemeanor.

 334.031. 1. **(1)** Candidates for licenses as physicians and surgeons shall furnish
 2 ~~[satisfactory evidence of their good moral character, and their preliminary qualifications, to~~
 3 ~~wit: a certificate of graduation from an accredited high school or its equivalent, and~~
 4 ~~satisfactory evidence of completion of preprofessional education consisting of a minimum of~~
 5 ~~sixty semester hours of college credits in acceptable subjects leading towards the degree of~~
 6 ~~bachelor of arts or bachelor of science from an accredited college or university. They shall~~
 7 ~~also furnish satisfactory evidence of having attended throughout at least four terms of thirty-~~
 8 ~~two weeks of actual instructions in each term and of having received a diploma from some~~
 9 ~~reputable medical college or osteopathic college that enforces requirements of four terms of~~
 10 ~~thirty-two weeks for actual instruction in each term, including, in addition to class work, such~~
 11 ~~experience in operative and hospital work during the last two years of instruction as is~~
 12 ~~required by the American Medical Association and the American Osteopathic Association~~
 13 ~~before the college is approved and accredited as reputable. Any medical college approved~~
 14 ~~and accredited as reputable by the American Medical Association or the Liaison Committee~~
 15 ~~on Medical Education and any osteopathic college approved and accredited as reputable by~~

16 ~~the American Osteopathic Association is deemed to have complied with the requirements of~~
17 ~~this subsection]:~~

18 **(a) Evidence of good moral character by submitting to a criminal background**
19 **check as provided in section 43.540;**

20 **(b) Either:**

21 **a. A diploma and academic transcripts from a school accredited by the Liaison**
22 **Committee on Medical Education, the Commission on Osteopathic College**
23 **Accreditation, or a similar accrediting agency; or**

24 **b. A valid certificate from the Educational Commission for Foreign Medical**
25 **Graduates (ECFMG); and**

26 **(c) A certificate demonstrating that the applicant has satisfied the requirements**
27 **of section 334.035 relating to postgraduate training. An applicant who holds a valid**
28 **certificate issued by the ECFMG shall submit satisfactory evidence of successful**
29 **completion of two years of such training.**

30 **(2) Except as provided in subsection 3 of this section, the board shall not require**
31 **applicants to provide information in addition to the information the applicant is**
32 **required to furnish under this subsection.**

33 2. In determining the qualifications necessary for licensure as a qualified physician
34 and surgeon, the board, by rule and regulation, may accept the certificate of the National
35 Board of Medical Examiners of the United States, chartered pursuant to the laws of the
36 District of Columbia, of the National Board of Examiners for Osteopathic Physicians and
37 Surgeons chartered pursuant to the laws of the state of Indiana, or of the Licentiate of the
38 Medical Council of Canada (LMCC) in lieu of and as equivalent to its own professional
39 examination. Every applicant for a license on the basis of such certificate, upon making
40 application showing necessary qualifications as provided in subsection 1 of this section, shall
41 be required to pay the same fee required of applicants to take the examination before the
42 board.

43 **3. The board may require applicants to list all licenses to practice as a physician**
44 **currently or previously held in any other state, territory, or country and to disclose any**
45 **past or pending investigations, discipline, or sanctions against each such license.**

46 **4. In addition to the criminal background screening required by this section, the**
47 **board may obtain a report on the applicant from the National Practitioner Data Bank**
48 **or the Federation of State Medical Boards.**

334.870. An applicant for a license to practice respiratory care may be issued a
2 license which is valid until the expiration date as determined by the board after the following
3 requirements have been met:

4 (1) The applicant submits to the board:

- 5 (a) A completed application for licensure;
- 6 (b) Written evidence of:
- 7 a. ~~[Credentials from the certifying entity; or]~~ **An active credential as a registered**
- 8 **respiratory therapist through the National Board for Respiratory Care, or a successor**
- 9 **credentialing organization;**
- 10 b. Current licensure or registration **with an active credential** as a **registered**
- 11 respiratory ~~[care practitioner]~~ **therapist practicing** in another state, the District of Columbia
- 12 or territory of the United States which requires standards for licensure or registration
- 13 determined by the board to be equivalent to, or exceed, the requirements for licensure under
- 14 sections 334.800 to 334.930; or
- 15 c. **An active credential as a certified respiratory therapist earned prior to**
- 16 **January 1, 2027, through the National Board for Respiratory Care;**
- 17 (c) Payment of any required fees;
- 18 (2) The board requests and receives a complete background check and other
- 19 information as may be deemed necessary to fulfill sections 334.800 to 334.910;
- 20 (3) An applicant who has completed the requirements of subdivision (1) of this
- 21 section and has submitted the necessary information for the background check pursuant to
- 22 subdivision (2) of this section may obtain a conditional license to practice as a respiratory
- 23 care practitioner pending the outcome of the background check subject to the following
- 24 restrictions:
- 25 (a) The conditional license shall only be issued if the applicant has made a prima facie
- 26 showing that he or she meets all of the requirements for full licensure;
- 27 (b) The conditional license shall only be effective until the board has had an
- 28 opportunity to investigate the applicant's qualifications for licensure pursuant to subdivisions
- 29 (1) and (2) of this section and to notify the applicant that his or her application for licensure
- 30 has been granted or denied;
- 31 (c) If the applicant provides false or misleading information to the board, the board
- 32 may automatically terminate the conditional license. If the board automatically terminates a
- 33 conditional license, the board shall notify the holder of the board's decision by certified mail
- 34 or personal service;
- 35 (d) In no event shall such conditional license be in effect for more than twelve months
- 36 after the date of its issuance;
- 37 (e) A conditional license shall not be eligible for renewal; and
- 38 (f) No fee shall be charged for issuing a conditional license.

334.880. 1. A license issued pursuant to sections 334.800 to 334.930 shall be

2 renewed biennially, except as provided in sections 334.800 to 334.930. The board shall mail

3 a notice to each person licensed during the preceding licensing period at least thirty calendar

4 days prior to the expiration date of the license. The board shall not renew any license unless
5 the licensee shall provide satisfactory evidence of having complied with the board's minimum
6 requirements for continuing education.

7 2. Failure of a licensee to renew his or her license prior to the expiration of the license
8 shall result in the lapse of the license. A lapsed license may be reinstated by the board as
9 provided by rule.

10 3. **Any license renewal is subject to a random audit to ensure the licensee has an**
11 **active credential through the National Board for Respiratory Care, or a successor**
12 **credentialing organization. If audited, proof of active credential shall be submitted**
13 **directly to the board by the National Board for Respiratory Care, or the successor**
14 **credentialing organization.**

15 4. Each licensee may, in lieu of submitting proof of the completion of the required
16 continuing education course, apply for an inactive license at the time of renewal and pay the
17 required inactive fee. An inactive license shall be renewed biennially. An inactive license
18 may be reactivated by the board as provided by rule.

19 [4.] 5. Any person who practices as a respiratory care practitioner during the time his
20 or her license is inactive or lapsed shall be considered an illegal practitioner and shall be
21 subject to the penalties for violation of the respiratory care practice act.

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~~ **three** 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~~] **three** 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~~] **three** 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 degree in social work from an accredited social work
115 program approved by the Council on Social Work Education;

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

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

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

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

122 (d) A current social worker license as set forth in sections 337.600 to 337.689.

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 in**
17 **any state**. Persons applying with an audiology clinical doctoral degree are exempt from this
18 provision; and

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

537.033. 1. As used in this section, unless the context clearly indicates otherwise, the
2 following words and terms shall have the meanings indicated:

3 (1) "Design professional", an architect, landscape architect, professional land
4 surveyor, ~~[or]~~ professional engineer, **or licensed interior designer** licensed under the
5 provisions of chapter 327 or any corporation authorized to practice architecture, landscape
6 architecture, land surveying, or engineering under section 327.401 while acting within their
7 scope of practice;

8 (2) "Lessons learned", internal meetings, classes, publications in any medium,
9 presentations, lectures, or other means of teaching and communicating after substantial
10 completion of the project which are conducted solely and exclusively by and with the
11 employees, partners, and coworkers of the design professional who prepared the project's
12 design for the purpose of learning best practices and reducing errors and omissions in design
13 documents and procedures. Lessons learned shall not include presentations, lectures,
14 teaching, or communication made to or by third parties who are not employees, partners, and
15 coworkers of the design professional whose work is being evaluated and discussed;

16 (3) "Peer review process", a process through which design professionals evaluate,
17 maintain, or monitor the quality and utilization of architectural, landscape architectural, land
18 surveying, ~~[or]~~ engineering, **or interior design** services, prepare internal lessons learned, or
19 exercise any combination of such responsibilities;

20 (4) "Substantial completion", the construction of the project covered by the design
21 professional's design documents has reached substantial completion, as that term is defined in
22 section 436.327.

23 2. A peer review process shall only be performed by a design professional licensed in
24 any jurisdiction in the United States in the same profession as would be required under
25 chapter 327 to prepare the design documents being reviewed, or in a case requiring multiple
26 professions, by a person or persons holding the proper licenses. A peer review process may
27 be performed by one or more design professionals appointed by the partners, shareholders,
28 board of directors, chief executive officer, quality control director, or employed design
29 professionals of a partnership or of a corporation authorized under section 327.401 to practice
30 architecture, landscape architecture, land surveying, or engineering, or by the owner of a sole
31 proprietorship engaged in one or more of such professions. Any individual identified in this
32 subsection and performing a peer review shall be deemed a peer reviewer.

33 3. Each peer reviewer described in this subsection shall be immune from civil liability
34 for such acts so long as the acts are performed in good faith, without malice, and are
35 reasonably related to the scope of inquiry of the peer review process. The immunity in this
36 subsection is intended to cover only outside peer reviews by a third-party design professional
37 who is not an employee, coworker, or partner of the design professional whose design is
38 being peer reviewed before substantial completion of the project and who has no other role in
39 the project besides performing the peer review.

40 4. This section does not provide immunity to any in-house peer reviewer when
41 performed by employees, coworkers, or partners of the design professional who prepares the
42 design, nor are any such documents or peer review comments, other than lessons learned,
43 inadmissible into evidence in any judicial or administrative action.

44 5. Except for documents related to lessons learned, the interviews, memoranda,
45 proceedings, findings, deliberations, reports, and minutes of the peer review process, or the
46 existence of the same, concerning the professional services provided to a client or member of
47 the public are subject to discovery, subpoena, or other means of legal compulsion for their
48 release to any person or entity and shall be admissible into evidence in any judicial or
49 administrative action for failure to provide appropriate architectural, landscape architectural,
50 land surveying, ~~or~~ engineering, **or interior design** services, subject to applicable rules of
51 the court or tribunal. Except as otherwise provided in this section, no person who was in
52 attendance at, or participated in, any lessons learned process or proceedings shall be permitted
53 or required to disclose any information acquired in connection with or in the course of such
54 proceeding, or to disclose any opinion, recommendation, or evaluation made in a lessons
55 learned process or proceeding; provided, however, that information otherwise discoverable or
56 admissible from original sources is not to be construed as immune from discovery or use in
57 any proceeding merely because it was presented during a lessons learned process or
58 proceeding nor is a member, employee, or agent involved in any such process or proceeding,
59 or other person appearing before a peer reviewer, to be prevented from testifying as to matters

60 within his or her personal knowledge and in accordance with the other provisions of this
 61 section, but such witness cannot be questioned about a lessons learned process or proceeding
 62 or about opinions formed as a result of such process or proceeding. The disclosure of any
 63 memoranda, proceedings, reports, or minutes of a lessons learned proceeding to any person or
 64 entity, including but not limited to governmental agencies, professional accrediting agencies,
 65 or other design professionals, whether proper or improper, shall not waive or have any effect
 66 upon its confidentiality, nondiscoverability, or nonadmissibility.

67 6. Nothing in this section shall limit authority otherwise provided by law of the
 68 Missouri board for architects, professional engineers, professional land surveyors, ~~and~~
 69 **professional landscape architects, and licensed interior designers** to obtain information by
 70 subpoena or other authorized process from a peer reviewer or to require disclosure of
 71 otherwise confidential information relating to matters and investigations within the
 72 jurisdiction of such licensing board.

621.045. 1. The administrative hearing commission shall conduct hearings and make
 2 findings of fact and conclusions of law in those cases when, under the law, a license issued by
 3 any of the following agencies may be revoked or suspended or when the licensee may be
 4 placed on probation or when an agency refuses to permit an applicant to be examined upon
 5 his or her qualifications or refuses to issue or renew a license of an applicant who has passed
 6 an examination for licensure or who possesses the qualifications for licensure without
 7 examination:

- 8 Missouri State Board of Accountancy
- 9 Missouri State Board for Architects, Professional Engineers, Professional Land
- 10 Surveyors ~~and~~, **Professional Landscape Architects, and Licensed Interior Designers**
- 11 Board of Barber Examiners
- 12 Board of Cosmetology
- 13 Board of Chiropody and Podiatry
- 14 Board of Chiropractic Examiners
- 15 Missouri Dental Board
- 16 Board of Embalmers and Funeral Directors
- 17 Board of Registration for the Healing Arts
- 18 Board of Nursing
- 19 Board of Optometry
- 20 Board of Pharmacy
- 21 Missouri Real Estate Commission
- 22 Missouri Veterinary Medical Board
- 23 Supervisor of Liquor Control
- 24 Department of Health and Senior Services

25 Department of Commerce and Insurance

26 Department of Mental Health

27 Board of Private Investigator Examiners.

28 2. If in the future there are created by law any new or additional administrative
29 agencies which have the power to issue, revoke, suspend, or place on probation any license,
30 then those agencies are under the provisions of this law.

31 3. The administrative hearing commission is authorized to conduct hearings and make
32 findings of fact and conclusions of law in those cases brought by the Missouri state board for
33 architects, professional engineers, professional land surveyors [~~and~~], **professional** landscape
34 architects, **and licensed interior designers** against unlicensed persons under section 327.076.

35 4. Notwithstanding any other provision of this section to the contrary, after August
36 28, 1995, in order to encourage settlement of disputes between any agency described in
37 subsection 1 or 2 of this section and its licensees, any such agency shall:

38 (1) Provide the licensee with a written description of the specific conduct for which
39 discipline is sought and a citation to the law and rules allegedly violated, together with copies
40 of any documents which are the basis thereof and the agency's initial settlement offer, or file a
41 contested case against the licensee;

42 (2) If no contested case has been filed against the licensee, allow the licensee at least
43 sixty days, from the date of mailing, to consider the agency's initial settlement offer and to
44 contact the agency to discuss the terms of such settlement offer;

45 (3) If no contested case has been filed against the licensee, advise the licensee that the
46 licensee may, either at the time the settlement agreement is signed by all parties, or within
47 fifteen days thereafter, submit the agreement to the administrative hearing commission for
48 determination that the facts agreed to by the parties to the settlement constitute grounds for
49 denying or disciplining the license of the licensee; and

50 (4) In any contact under this subsection by the agency or its counsel with a licensee
51 who is not represented by counsel, advise the licensee that the licensee has the right to consult
52 an attorney at the licensee's own expense.

53 5. If the licensee desires review by the administrative hearing commission under
54 subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming
55 final, the licensee may rescind and withdraw from the settlement and any admissions of fact
56 or law in the agreement shall be deemed withdrawn and not admissible for any purposes
57 under the law against the licensee. Any settlement submitted to the administrative hearing
58 commission shall not be effective and final unless and until findings of fact and conclusions
59 of law are entered by the administrative hearing commission that the facts agreed to by the
60 parties to the settlement constitute grounds for denying or disciplining the license of the
61 licensee.

62 6. When a holder of a license, registration, permit, or certificate of authority issued by
63 the division of professional registration or a board, commission, or committee of the division
64 of professional registration against whom an affirmative decision is sought has failed to plead
65 or otherwise respond in the contested case and adequate notice has been given under sections
66 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under
67 this chapter or chapter 536, a default decision shall be entered against the licensee without
68 further proceedings. The default decision shall grant such relief as requested by the division
69 of professional registration, board, committee, commission, or office in the writing initiating
70 the contested case as allowed by law. Upon motion stating facts constituting a meritorious
71 defense and for good cause shown, a default decision may be set aside. The motion shall be
72 made within a reasonable time, not to exceed thirty days after entry of the default decision.
73 "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to
74 impede the administrative process.

2 ~~324.406. 1. There is hereby created within the division of~~
3 ~~professional registration a council to be known as the "Interior Design~~
4 ~~Council". The council shall consist of four interior designers and one public~~
5 ~~member appointed by the director of the division. The director shall give due~~
6 ~~consideration to the recommendations by state organizations of the interior~~
7 ~~design profession for the appointment of the interior design members to the~~
8 ~~council. Council members shall be appointed to serve a term of four years;~~
9 ~~except that of the members first appointed, one interior design member and the~~
10 ~~public member shall be appointed for terms of four years, one member shall be~~
11 ~~appointed for a term of three years, one member shall be appointed for a term~~
12 ~~of two years and one member shall be appointed for a term of one year. No~~
13 ~~member of the council shall serve more than two terms.~~

14 ~~2. Each council member, other than the public member, shall be a~~
15 ~~citizen of the United States, a resident of the state of Missouri for at least one~~
16 ~~year, meet the qualifications for professional registration, practice interior~~
17 ~~design as the person's principal livelihood and, except for the first members~~
18 ~~appointed, be registered pursuant to sections 324.400 to 324.439 as an interior~~
19 ~~designer.~~

20 ~~3. The public member shall be, at the time of such person's~~
21 ~~appointment, a citizen of the United States, a registered voter, a person who is~~
22 ~~not and never was a member of the profession regulated by sections 324.400 to~~
23 ~~324.439 or the spouse of such a person and a person who does not have and~~
24 ~~never has had a material financial interest in the providing of the professional~~
25 ~~services regulated by sections 324.400 to 324.439. The duties of the public~~
26 ~~member shall not include the determination of the technical requirements for~~
27 ~~the registration of persons as interior designers.~~

28 ~~4. The provisions of section 324.028 pertaining to members of certain~~
29 ~~state boards and commissions shall apply to all members of the council.~~

30 ~~5. Members of the council may be removed from office for cause.~~
 ~~Upon the death, resignation or removal from office of any member of the~~

31 council, the appointment to fill the vacancy shall be for the unexpired portion
 32 of the term so vacated and shall be filled in the same manner as the first
 33 appointment and due notice be given to the state organizations of the interior
 34 design profession prior to the appointment.

35 6. Each member of the council may receive as compensation an
 36 amount set by the division not to exceed fifty dollars per day and shall be
 37 reimbursed for the member's reasonable and necessary expenses incurred in
 38 the official performance of the member's duties as a member of the council.
 39 The director shall establish by rule guidelines for payment.

40 7. The council shall meet at least twice each year and guide, advise,
 41 and make recommendations to the division on matters within the scope of
 42 sections 324.400 to 324.439. The organization of the council shall be
 43 established by the members of the council.]

[324.412. The division shall:

2 (1) Employ, within the limits of the appropriations for that purpose,
 3 such employees as are necessary to carry out the provisions of sections
 4 324.400 to 324.439;

5 (2) Exercise all budgeting, purchasing, reporting and other related
 6 management functions;

7 (3) Recommend prosecution for violations of sections 324.400 to
 8 324.439 to the appropriate prosecuting or circuit attorney;

9 (4) Promulgate such rules and regulations as are necessary to
 10 administer the provisions of sections 324.400 to 324.439. Any rule or portion
 11 of a rule, as that term is defined in section 536.010, that is promulgated to
 12 administer and enforce sections 324.400 to 324.439, shall become effective
 13 only if the agency has fully complied with all of the requirements of chapter
 14 536, including but not limited to, section 536.028, if applicable, after August
 15 28, 1998. If the provisions of section 536.028 apply, the provisions of this
 16 section are nonseverable and if any of the powers vested with the general
 17 assembly pursuant to section 536.028 to review, to delay the effective date, or
 18 to disapprove and annul a rule or portion of a rule are held unconstitutional or
 19 invalid, the purported grant of rulemaking authority and any rule so proposed
 20 and contained in the order of rulemaking shall be invalid and void, except that
 21 nothing in this section shall affect the validity of any rule adopted and
 22 promulgated prior to August 28, 1998.]

[324.421. The division shall register without examination any interior
 2 designer certified, licensed or registered in a foreign country if the applicant
 3 has qualifications which are at least equivalent to the requirements for
 4 registration as a registered interior designer in this state and such applicant
 5 pays the required fees.]

[324.424. 1. The division shall set the amount of the fees authorized
 2 by sections 324.400 to 324.439 by rules and regulations. The fees shall be set
 3 at a level to produce revenue which shall not substantially exceed the cost and
 4 expense of administering sections 324.400 to 324.439. All fees required
 5 pursuant to sections 324.400 to 324.439 shall be paid to and collected by the

6 ~~division of professional registration and transmitted to the department of~~
7 ~~revenue for deposit in the state treasury to the credit of the "Interior Designer~~
8 ~~Council Fund", which is hereby created.~~

9 ~~2. Notwithstanding the provisions of section 33.080 to the contrary,~~
10 ~~money in the fund shall not be transferred and placed to the credit of general~~
11 ~~revenue until the amount in the fund at the end of the biennium exceeds three~~
12 ~~times the amount of the appropriation to the council for the preceding fiscal~~
13 ~~year. The amount, if any, in the fund which shall lapse is the amount in the~~
14 ~~fund which exceeds the appropriate multiple of the appropriations to the~~
15 ~~council for the preceding fiscal year.]~~

2 ~~[324.436. 1. The division may refuse to issue any certificate required~~
3 ~~pursuant to sections 324.400 to 324.439, or renew or reinstate any such~~
4 ~~certificate, for any one or any combination of the reasons stated in subsection 2~~
5 ~~of this section. The division shall notify the applicant in writing of the reasons~~
6 ~~for the refusal and shall advise the applicant of the person's right to file a~~
7 ~~complaint with the administrative hearing commission as provided in chapter~~
8 ~~621.~~

9 ~~2.—The division may cause a complaint to be filed with the~~
10 ~~administrative hearing commission as provided by chapter 621 against any~~
11 ~~holder of a certificate of registration required by sections 324.400 to 324.439~~
12 ~~or any person who has failed to renew or has surrendered the person's~~
13 ~~certificate of registration for any one or combination of the following reasons:~~

14 ~~(1) The person has been finally adjudicated and found guilty, or~~
15 ~~entered a plea of guilty or nolo contendere, in a criminal prosecution under the~~
16 ~~laws of any state or of the United States, or of any country, for any offense~~
17 ~~directly related to the duties and responsibilities of the occupation, as set forth~~
18 ~~in section 324.012, regardless of whether or not sentence is imposed;~~

19 ~~(2) Use of fraud, deception, misrepresentation or bribery in securing~~
20 ~~any certificate of registration issued pursuant to sections 324.400 to 324.439 or~~
21 ~~in obtaining permission to take any examination given or required pursuant to~~
22 ~~sections 324.400 to 324.439;~~

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

25 ~~(4) Incompetency, misconduct, gross negligence, fraud,~~
26 ~~misrepresentation or dishonesty in the performance of the functions or~~
27 ~~duties of the profession regulated by sections 324.400 to 324.439;~~

28 ~~(5) Violation of, or assisting or enabling any person to violate, any~~
29 ~~provision of sections 324.400 to 324.439, or of any lawful rule or regulation~~
30 ~~adopted pursuant to such sections;~~

31 ~~(6) Impersonation of any person holding a certificate of registration or~~
32 ~~authority, permit or license or allowing any person to use the person's~~
33 ~~certificate or diploma from any school;~~

34 ~~(7) Disciplinary action against the holder of a certificate of registration~~
35 ~~or other right to perform the profession regulated by sections 324.400 to~~
36 ~~324.439 granted by another state, territory, federal agency or country upon~~
~~grounds for which revocation or suspension is authorized in this state;~~

37 ~~(8) A person is finally adjudged insane or incompetent by a court of~~
38 ~~competent jurisdiction;~~
39 ~~(9) Issuance of a certificate of registration based upon a material~~
40 ~~mistake of fact;~~
41 ~~(10) Use of any advertisement or solicitation which is false,~~
42 ~~misleading or deceptive to the general public or persons to whom the~~
43 ~~advertisement or solicitation is primarily directed, as it relates to the interior~~
44 ~~design profession.~~
45 ~~3. After the filing of a complaint pursuant to subsection 2 of this~~
46 ~~section, the proceedings shall be conducted in accordance with the provisions~~
47 ~~of chapter 536 and chapter 621. Upon a finding by the administrative hearing~~
48 ~~commission that the grounds, provided in subsection 2 of this section, for~~
49 ~~disciplinary action are met, the division shall censure or place the person~~
50 ~~named in the complaint on probation for a period not to exceed five years or~~
51 ~~may suspend the person's certificate for a period not to exceed three years or~~
52 ~~may revoke the person's certificate of registration.]~~

Section B. In the event that any section, provision, clause, phrase, or word of this act
2 or the application thereof is declared invalid under the Constitution of the United States or the
3 Constitution of the State of Missouri, it is the intent of the general assembly that the
4 remaining sections of this act remain in force and effect as far as they are capable of being
5 carried into execution as intended by the general assembly. The general assembly hereby
6 declares that it would have passed each section, provision, clause, phrase, or word thereof,
7 irrespective of the fact that any one or more sections, provisions, clauses, phrases, or words of
8 this act or the application of this act would be declared unenforceable, unconstitutional, or
9 invalid.

Section C. The repeal of sections 324.406 and 324.424 shall become effective upon
2 notification to the revisor from the director of the division of professional registration of the
3 department of commerce and insurance of the appointment and confirmation of two members
4 to the interior design division of the Missouri board for architects, professional engineers,
5 professional land surveyors, professional landscape architects, and licensed interior designers.

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