

HOUSE BILL NO. 2957

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CASTEEL.

5908H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 334.870 and 334.880, RSMo, and to enact in lieu thereof two new sections relating to respiratory care practitioners.

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

Section A. Sections 334.870 and 334.880, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 334.870 and 334.880, to read as follows:

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 ~~[as a respiratory care practitioner]~~ **with an active**
11 **credential as a registered respiratory therapist that authorizes the practice of**
12 **respiratory care** in another state, the District of Columbia or territory of the United States
13 which requires standards for licensure or registration determined by the board to be
14 equivalent to, or exceed, the requirements for licensure under sections 334.800 to 334.930; **or**

15 c. **An active credential as a certified respiratory therapist earned before January**
16 **1, 2027, through the National Board for Respiratory Care; and**

17 (c) Payment of any required fees;

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.

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

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