

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2974

103RD GENERAL ASSEMBLY

6590H.02P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to licensure reciprocity.

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

Section A. Section 324.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.009, to read as follows:

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

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

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

(3) "Missouri law enforcement officer", any person employed by or otherwise serving in a position for the state or a local governmental entity in the state of Missouri as a police officer, peace officer certified under chapter 590, auxiliary police officer, sheriff, sheriff's deputy, member of the patrol as that term is defined in section 43.010, or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life and who is a permanent resident of the state of Missouri or who is domiciled in the state of Missouri;

(4) "Nonresident military or law enforcement spouse":

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

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

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

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

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

41 3. The oversight body in this state shall:

42 (1) Within six months of receiving an application described in subsection 2 of this
43 section, waive any examination, educational, or experience requirements for licensure in this
44 state for the applicant if it determines that there were minimum education requirements and, if
45 applicable, work experience and clinical supervision requirements in effect and the other
46 **[state] jurisdiction** verifies that the person met those requirements in order to be licensed or
47 certified in that **[state] jurisdiction**. An oversight body that administers an examination on
48 laws of this state as part of its licensing application requirement may require an applicant to
49 take and pass an examination specific to the laws of this state; or

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

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

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

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

71 6. Any person who is licensed under the provisions of this section shall be subject to
72 the applicable oversight body's jurisdiction and all rules and regulations pertaining to the
73 practice of the licensed occupation or profession in this state. **Any health care provider
74 licensed under the provisions of this section shall be deemed fully licensed to practice
75 within the profession's scope of practice in this state and may provide telehealth services
76 as described in section 191.1145 to the same extent and in the same manner as a health
77 care provider who received his or her license without a waiver of any requirements.**

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

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

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

85 10. The provisions of this section shall not be construed to alter the authority granted
86 by, or any requirements promulgated pursuant to, any interjurisdictional or interstate
87 compacts adopted by Missouri statute or any reciprocity agreements with other states in
88 effect, and whenever possible this section shall be interpreted so as to imply no conflict
89 between it and any compact, or any reciprocity agreements with other states in effect.

90 11. Notwithstanding any other provision of law, a license issued under this section
91 shall be valid only in this state and shall not make a licensee eligible to be part of an interstate

92 compact. An applicant who is licensed in another state pursuant to an interstate compact shall
93 not be eligible for licensure by an oversight body under the provisions of this section.

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

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