HCS SS#2 SB 1233 -- ACTIVITIES REQUIRING LICENSURE

This bill relates to activities requiring licensure.

TEMPORARY LICENSES (Section 324.004)

Under the provisions of this bill, any person who has at least three years of work experience in an occupation or profession in another state or the District of Columbia that does not use a license to regulate that occupation or profession can submit an application for a one-time nonrenewable, two-year temporary license in Missouri, with proof of at least three years of experience in the occupation and a fee as set by regulation of the oversight body. Within 45 days of receiving the application, the oversight body must make a determination of qualification. The oversight body will require an applicant to take and pass a profession-specific examination and may require an examination specific to Missouri laws. The oversight body will not issue a one-time nonrenewable temporary license to any applicant who has had their license revoked by an oversight body outside this State; is currently under investigation; has a pending complaint; or is currently under disciplinary action. Applicants must be U.S. citizens or, except for occupants regulated by the Board of Therapeutic Massage, lawfully present noncitizens authorized to work in the U.S.

If the applicant is not residing in Missouri, the oversight body will conditionally approve the application. If an applicant fails to provide proof of domicile in Missouri within 60 days of receipt of temporary license, the oversight body may terminate the two-year temporary license and the applicant can reapply for the temporary license.

Upon expiration of the temporary license, the individual will be required to apply for a permanent license, consistent with the licensure and application requirements of that license as set forth in statute and rule. A license issued under this bill will not qualify for reciprocity with another state or to be a part of an interstate compact.

Some occupations, as specified in the bill, are excluded from the provisions of this Section.

TELEHEALTH (Section 324.009)

This bill specifies that a health care provider who has received his or her license to practice in Missouri via our license reciprocity law can provide telehealth services within the profession's scope of practice.

TEMPORARY LICENSE FOR DIETITIANS (Section 324.218)

This bill specifies that, a first time applicant for a dietitian license who has not previously taken or passed an examination may obtain without examination a nonrenewable temporary license by paying a temporary license fee and submitting an agreement-to-supervise form that is signed by a licensed dietitian who has agreed to supervise the applicant. Such temporary licensee may practice dietetics, but any such practice must be under the supervision of a dietitian licensed in this State.

The supervising dietitian must have an unencumbered license to practice and he or she cannot be an immediate family member of the temporary licensee. The supervising dietitian is prohibited from supervising more than one temporary license at a time. The supervising dietitian must submit a signed and notarized form attesting that the applicant will begin employment at a location in this state within seven days of receiving the temporary license.

The temporary license obtained by an applicant will expire the date the licensee's employment with the supervising dietitian has ceased or within 180 days of its issuance, whichever occurs first.

EMERGENCY SUSPENSION OF MASSAGE THERAPIST LICENSE (Section 324.263)

This bill specifies that the Board of Therapeutic Massage can apply to the Administrative Hearing Commission (AHC) for an emergency suspension or restriction of a license for a licensed massage therapist if the licensee is the subject of a pending criminal indictment or other criminal charge related to the duties and responsibilities of the licensed occupation, and there is reasonable cause to believe that the public health, safety, or welfare is at imminent risk of harm. The information that must be submitted by the Board is detailed in the bill.

Within five days of receiving the complaint, the AHC must conduct a review and, if the AHC determines there is reasonable cause for

the Board's complaint, the AHC will enter the order requested by the Board. The order will be effective upon personal service or delivery of a copy at all of the licensee's current addresses on file with the Board. The AHC must then hold an evidentiary hearing on the record within 45 days of the Board's filing or upon final adjudication of any criminal charges to determine if the initial order entered by the AHC will continue in effect and whether a cause for discipline exists. If no cause for discipline is found, the AHC must issue findings and terminate the order for suspension or restriction. If the AHC finds cause for discipline, the AHC will issue findings and order the suspension or restriction to remain in effect until a disciplinary hearing before the Board, which may impose discipline otherwise authorized by state law.

The bill provides that if the AHC does not grant an initial order, the Board must remove all reference to the emergency suspension or restriction from public records.

PUBLIC ACCOUNTANTS (Sections 326.256, 326.277, 326.280, 326.283, 326.286, 326.289, and 326.292)

Currently, for an applicant to be eligible to apply for the Uniform Certified Public Accountant Examination (Examination), the applicant must provide proof that the applicant has completed at least 120 semester hours of college education at an accredited college or university recognized by the Board of Accountancy, with an accounting concentration or equivalent as determined by the Board, by rule.

This bill replaces the 120 semester hours with obtaining a baccalaureate degree or a post-baccalaureate degree at an accredited college or university recognized by the Board.

Currently, an applicant for a license to be a certified public accountant must have either:

(1) Applied for the initial examination prior to June 30, 1999, and hold a baccalaureate degree conferred by an accredited college or university recognized by the Board, with a concentration in accounting or the substantial equivalent of a concentration in accounting as determined by the Board; or

(2) Applied for the initial examination on or after June 30, 1999, and have at least 150 semester hours of college education, including a baccalaureate or higher degree conferred by an

accredited college or university recognized by the Board, with the total educational program including an accounting concentration or equivalent as determined by Board rule to be appropriate.

This bill amends that requirement.

The bill requires the applicant to meet one of the following educational requirements:

(1) Holds a baccalaureate degree conferred by an accredited college or university recognized by the Board, with the total educational program including an accounting concentration or equivalent as determined by Board rule to be appropriate;

(2) Has obtained a baccalaureate degree and completed at least 30 additional semester hours of college education at an accredited college or university recognized by the Board, with the total educational program including an accounting concentration or equivalent as determined by Board rule to be appropriate; or

(3) Holds a post-baccalaureate degree conferred by an accredited college or university recognized by the Board, with the total educational program including an accounting concentration or equivalent as determined by Board rule to be appropriate;

Currently, an applicant must have at least 150 semester hours of college education, including a baccalaureate or higher degree, and one year of experience before being licensed. This bill repeals that provision and provides that if the applicant has a baccalaureate degree, the applicant will be required to have two years of experience. If the applicant has a baccalaureate degree and 30 additional semester hours of college education or a post-baccalaureate degree, the applicant is only required to have one year of experience.

Currently, an individual whose principal place of business, domicile, or residency is not in this State and who holds a valid and unrestricted license to practice public accounting from any State can have the same privileges as licensees of this State without the need to obtain a license or to otherwise notify or register with the Board or pay any fee.

This bill amends that provision to now allow an individual whose principal place of business, domicile, or residency is not in this State and who holds a valid and unrestricted license in good

standing to practice public accounting from any state to have all the privileges of licensees of this State without the need to obtain a license or to otherwise notify or register with the Board or pay any fee provided that at the time of initial licensure, the individual was required to show evidence of having passed the Uniform Certified Public Accountant Examination and of having met one of the following requirements:

(1) A baccalaureate degree conferred by an accredited college or university, with the total educational program including an accounting concentration or equivalent, and no less than two years of experience, both as defined by Board rule;

(2) A baccalaureate degree and the completion of at least 30 additional semester hours of college education at an accredited college or university, with the total educational program including an accounting concentration or equivalent, and not less than one year of experience, both as defined by Board rule; or

(3) A post-baccalaureate degree conferred by an accredited college or university, with the total educational program including an accounting concentration or equivalent, and not less than one year of experience, both as defined by Board rule.

An individual whose principal place of business, domicile, or residency is not in this State; who holds a valid and unrestricted license in good standing to practice public accounting from any state as of December 31, 2024, and who, as of such date, has practice privileges in this State will continue to have all the privileges of licensees in this State without the need to obtain a license or otherwise notify or register with the Board or pay any fee.

Currently, a certified public accountant licensed by another state who establishes a principal place of business in this State must request the issuance of a license from the Board prior to establishing the principal place of business. The Board can issue a license to the person who obtains verification from the NASBA National Qualification Appraisal Service that the individual's qualifications are substantially equivalent to the licensure requirements for a public accountant.

This bill removes the NASBA National Qualification Appraisal Service verification and instead states the Board can issue a license to the person whose qualifications the Board verifies to be comparable to the initial licensure requirements.

Currently, any accountant firm with an office in this State that uses the title "CPA" or "CPA firm" must hold a permit to practice as a certified public accounting firm. This bill allows a sole practitioner or single-member limited liability company using the title of "certified public accountant", "certified public accountants", "CPA", or any similar abbreviation in its business name to request exemption from the firm permit requirement by submitting a written request to the Board that affirms the business does not offer or perform attest services or any other services subject to peer review.

Currently, accounting firms with the permit to practice as a certified public accounting firm must undergo, no more frequently than once every three years, peer reviews conducted in a manner as the board specifies. The peer review must be a satisfactory equivalent to peer review generally required by law. This bill changes this to say the peer review needs to be comparable to peer review generally required by law.

Currently, the fees for the peer reviews for accounting firms must be substantially equivalent to the cost of oversight. This bill changes this to say the fee must be comparable to the cost of oversight.

INTERIOR DESIGNERS (Sections 324.001, 324.028, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 327.700, 327.705, 327.710, 327.720, 327.725, 327.730, 327.735, 327.740, 327.745, 327.750, 537.033, and 621.045)

Currently, interior designers can be registered with the State to perform interior design services but there isn't a license for the profession. This bill would create a professional license for interior designers.

The bill abolishes the Interior Design Council and instead adds licensed interior designers to the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects. The Board will be expanded to add two voting members who are licensed interior designers.

This bill adds interior designers to the list of professions that the Board can license applicants from other countries and states when the applicant has qualifications which are at least equivalent to the requirements for the applicable licensure in Missouri.

The bill specifies the educational requirements, training, and experience needed to become a licensed interior designer.

This bill outlines the scope of work a licensed interior designer can do. The bill specifies who can do that work without being a licensed interior designer, provided that the person does not use the title "interior designer" together with any words that indicate or imply that the person is or holds himself or herself out to be a licensed interior designer.

The professional license issued to a licensed interior designer, will be renewed on or before the license or certificate renewal date, provided that the required fee is paid. The Board may establish, by rule, continuing education requirements as a condition for renewing the license of a licensed interior designer. The continuing education requirements must be substantially equivalent to the continuing education requirements for architects.

The license of any licensed interior designer or the certificate of authority issued to any corporation that is not renewed by the license or certificate renewal date will expire on the renewal date and be void, and the holder of an expired license or certificate will have no rights or privileges under the license or certificate. Any person or corporation whose license or certificate has expired may, within three months of the license or certificate renewal date or at the discretion of the Board, upon payment of the required fee, be renewed, relicensed, or reauthorized under the person's or corporation's original license or certificate number.

EMERGENCY SUSPENSION OF A CHIROPRACTOR LICENSE (Section 331.084)

This bill specifies that the Board of Chiropractic Examiners can apply to the Administrative Hearing Commission (AHC) for an emergency suspension or restriction of a license for a licensed chiropractor if the licensee is the subject of a pending criminal indictment or other criminal charge related to the duties and responsibilities of the licensed occupation, and there is reasonable cause to believe that the public health, safety, or welfare is at imminent risk of harm. The information that must be submitted by the Board is detailed in the bill.

Within five days of receiving the complaint, the AHC must conduct a review and, if the AHC determines there is reasonable cause for the Board's complaint, the AHC will enter the order requested by

the Board. The order will be effective upon personal service or delivery of a copy at all of the licensee's current addresses on file with the Board. The AHC must then hold an evidentiary hearing on the record within 45 days of the Board's filing or upon final adjudication of any criminal charges to determine if the initial order entered by the AHC will continue in effect and whether a cause for discipline exists.

DENTAL SERVICES (Section 332.081)

Currently, a corporation cannot practice dentistry unless the corporation is a nonprofit corporation or a professional corporation. Exemptions exist for hospital nonprofit corporations that provide dental services at facilities owned by a city, county, or other political subdivision of the State. This bill exempts entities contracted with the State to provide care in correctional centers.

RESPIRATORY CARE LICENSURE (Sections 334.870 and 334.880)

Currently, an applicant for a respiratory care license is required to submit written evidence of credentials from the cognitive competency testing organization authorized by the Missouri Board for Respiratory Care or current licensure or registration as a respiratory care practitioner in another jurisdiction that meets or exceeds Missouri licensure standards. This bill instead provides that the applicant must submit:

(1) An active credential as a registered respiratory therapist through the National Board for Respiratory Care (NBRC);

(2) Current licensure or registration with an active credential as a respiratory care practitioner in another jurisdiction that meets or exceeds Missouri licensure standards; or

(3) An active credential as a certified respiratory therapist earned prior to January 1, 2027, through the NBRC.

Additionally, this bill provides that license renewals will be subject to random audits to ensure the licensee has an active credential through the NBRC.

SUBCUTANEOUS INJECTABLE MEDICATIONS (Section 335.081)

This bill allows technicians, nurses' aides, or other equivalent trained employees to administer subcutaneous injectable medications ordered by a physician in a long-term care facility.

SOCIAL WORKERS (Section 337.600)

Currently, applicants for baccalaureate socials worker licenses, advanced macro social worker licenses, and clinical social worker licenses are required to have 3,000 hours of supervised experience in the field they are pursuing a license to practice in.

Qualified advanced macro supervisors, qualified baccalaureate supervisors, and qualified clinical supervisors who supervise the applicants are required to have practiced in the field of social work as a licensed social worker for which they are supervising the applicant for a minimum of five years. This bill changes that to three years.

ADMINISTRATION OF VACCINES (Section 338.010)

Currently, the practice of pharmacy includes the ordering and administration of vaccines approved or authorized by the U.S. Food and Drug Administration, excluding vaccines for cholera, monkeypox, Japanese encephalitis, typhoid, rabies, yellow fever, tick-borne encephalitis, anthrax, tuberculosis, dengue, Hib, polio, rotavirus, smallpox, and any vaccine approved after January 1, 2023, to persons at least seven years of age or the age recommended by the Centers for Disease Control and Prevention, whichever is older.

This bill removes the January 1, 2023, date and instead excludes any vaccine that is jointly excluded by joint rules promulgated by the Board of Pharmacy and the State Board of Registration for the Healing Arts for vaccines approved by the Federal Drug Administration after January 1, 2026.

DISPENSING PRESCRIPTIONS DURING A DECLARED OR EMERGENCY (Section 338.312)

This bill gives the Missouri Board of Pharmacy the authority to waive compliance with any Missouri rule or regulation for a pharmacy licensed in this State when the pharmacy is dispensing, shipping, or delivering prescription drugs into another state or

United States territory that is experiencing a declared state disaster or emergency, provided that:

(1) The pharmacy is a licensed pharmacy in good standing under this Chapter and is authorized to ship prescription drugs into the state or territory in question;

(2) The pharmacy is responding to an active declared state disaster or emergency;

(3) The pharmacy complies with all emergency rules and regulations for pharmacies and nonprofit pharmacies established by the state or territory for the duration of the disaster period;

(4) The pharmacy complies with all applicable Federal laws and regulations; and

(5) The waiver applies only to prescription drugs dispensed, shipped, or delivered to residents or health care facilities located within the geographic area specified in the declared state disaster or emergency.

The Board can promulgate rules to implement these provisions.

WHOLESALE DRUGS DISTRIBUTORS (Section 338.333)

Currently, no person or outlet can act as a wholesale drug distributor, pharmacy distributor, drug outsourcer, or third-party logistics provider without obtaining a license from the Missouri Board of Pharmacy. Temporary licenses can be granted while an application is being processed. Separate licenses are required for each distribution site.

The Board can permit out-of-state entities to be licensed in Missouri if they possess a valid license from another state with comparable standards and if the other state offers reciprocal treatment to Missouri entities.

This bill provides that if a state license is not issued by the out-of-state wholesale drug distributor's resident state, out-of-state wholesale drug distributors and third-party logistics providers with a current and valid drug distributor accreditation from the National Association of Boards of Pharmacy or its successor can be eligible for the license.

RX CARES FOR MISSOURI PROGRAM (Section 338.710)

Currently, there is a program called the “RX Cares for Missouri Program" to promote medication safety and to prevent prescription drug abuse in Missouri. The Board of Pharmacy, within the Division of Professional Registration, in consultation with the Department of Mental Health, can allocate funds to public or private entities for relevant programs or education. However, funds cannot be used for state prescription drug monitoring programs. The Board, in consultation with the Department of Mental Health, manages the Program and can also enter interagency agreements to assist in the Program's management or operation.

The Program is currently set to expire on August 28, 2026.

This bill removes that expiration date.

SPEECH LANGUAGE PATHOLOGISTS (Section 345.050)

Currently, a requirement for licensure for speech-language pathologists and audiologists is submitting evidence of completion of a clinical fellowship from supervisors. The period of employment must be under the direct supervision of a person who is licensed by the State of Missouri in the profession in which the applicant seeks to be licensed.

This bill changes the period of employment to be under the direct supervision of a speech-language pathologist in good standing in any state.

SEVERABILITY

This bill contains a severability clause.