



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1623</b>		DATE: <b>2/4/2026</b>	
COMMITTEE: <b>Professional Registration and Licensing</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>ARNIE C. AC "HONEST-ABE" DIENOFF-STATE PUBLIC ADVO</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/3/2026 11:46 PM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			

**I am in Support of this Bill and the Authority to Grant the State Administrative Hearing Commission the right for Emergency Suspension and Conditions or Restrictions of Massage Therapists or Chiropractors. This is a MUST to Protect Missourians.**



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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>LYNNE SCHLOSSER</b>		PHONE NUMBER: <b>913-461-8724</b>	
REPRESENTING: <b>MCPA-MO CHIROPRACTIC PHYSICIANS ASSOCIATION</b>		TITLE:	
ADDRESS: <b>1521 PEPPERWOOD DR.</b>			
CITY: <b>ST. LOUIS</b>		STATE: <b>MO</b>	ZIP: <b>63146</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/4/2026 12:00 AM</b>	
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<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>WES SHUMATE</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/4/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>DEE ANN POOLE</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/4/2026 10:52 AM</b>
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>NANCY JEAN KOCH</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>		SUBMIT DATE: <b>2/4/2026 3:35 PM</b>
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Once Missouri joins a compact, we are locked in. Because the U.S. Constitution protects contracts, our legislature cannot unilaterally repeal parts of the agreement if they stop working for us. This does NOT protect Missouri's sovereignty.



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/2/2026 5:42 PM</b>

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**

**HB 1623 should be opposed because it authorizes the suspension or restriction of a professional license—a protected property interest—based solely on the existence of pending criminal charges, not adjudicated misconduct.**

**The bill permits immediate deprivation before a full evidentiary hearing, relying on an undefined “imminent risk” standard and a low “reasonable cause” threshold that is wholly disproportionate to the severity of the consequences imposed.**

**While styled as an emergency measure, HB 1623 functions as pre-adjudication punishment.**

**Licenses may be suspended prior to conviction, prior to findings of fact, and without any statutory requirement that the alleged offense be proven, substantiated, or narrowly connected to the licensee’s actual professional conduct.**

**Even if later reversed, the economic, reputational, and professional harm is irreversible.**

**This bill is not isolated. HB 1623 fits a broader legislative pattern in which enforcement authority is repeatedly shifted forward in time—away from adjudication and toward allegation—normalizing rights deprivation first and process later.**

**Procedural safeguards offered after the fact do not cure the constitutional deficiency created when punishment precedes proof.**

**By routing emergency enforcement through the Administrative Hearing Commission, HB 1623 further expands quasi-judicial power without requiring heightened evidentiary standards or narrowly tailored remedies.**

**The result is an imbalance that favors administrative expediency over due process, undermining both public confidence and constitutional restraint.**

**The General Assembly should reject HB 1623 or substantially amend it to require adjudicated findings, clear evidentiary standards, and narrowly tailored restrictions proportionate to demonstrated risk—rather than authorizing sweeping sanctions based on unresolved accusations.**

**Footnotes:**

### **Due Process & Protected Property Interests**

A professional license constitutes a protected property interest under both the Fourteenth Amendment to the U.S. Constitution and Article I, Section 10 of the Missouri Constitution, and may not be deprived without due process of law. See *State ex rel. Nixon v. Kinder*, 129 S.W.3d 5, 11 (Mo. banc 2004) (recognizing occupational licenses as protected interests requiring due process).

### **Presumption of Innocence / Pending Charges**

Missouri courts consistently distinguish between allegations and adjudicated misconduct; the existence of a criminal charge alone does not establish guilt or justify punitive sanctions. See *State v. O'Dell*, 684 S.W.2d 453, 455 (Mo. App. 1984) (charges are accusations, not proof).

### **Emergency Powers Must Be Narrowly Construed**

Emergency administrative action is constitutionally permissible only when narrowly tailored to prevent demonstrable, immediate harm and accompanied by meaningful procedural safeguards. See *Barry v. Barchi*, 443 U.S. 55, 66 (1979) (temporary license suspension requires prompt post-deprivation hearing and strong justification).

### **Missouri Administrative Hearing Commission Authority**

The Administrative Hearing Commission functions as an adjudicatory body, not a substitute for criminal courts, and historically reviews discipline based on proven violations rather than unadjudicated accusations. See §§ 621.045–621.055, RSMo.

### **Irreparable Harm from Pre-Hearing Suspension**

Missouri courts recognize that loss of livelihood, reputational damage, and professional standing constitute irreparable harm that cannot be undone by later reinstatement. See *State ex rel. Missouri State Bd. of Registration for the Healing Arts v. Southworth*, 704 S.W.2d 219, 223 (Mo. banc 1986).

### **Vagueness and “Imminent Risk” Standards**

Statutory standards triggering deprivation of rights must be sufficiently definite to prevent arbitrary enforcement. Undefined or subjective standards such as “imminent risk” invite inconsistent application. See *State v. Young*, 695 S.W.2d 882, 884 (Mo. banc 1985).

### **Cumulative Legislative Pattern (Contextual Reference)**

HB 1623 aligns with multiple 103rd General Assembly proposals expanding pre-adjudicatory enforcement authority across licensing, health, and administrative regimes, reflecting a pattern of shifting sanctions earlier in the process without corresponding increases in evidentiary safeguards.