This bill repeals Section 324.009 from HB 1511 that was signed into law by the Governor on 4/21/2020 and replaces it with a new Section 324.009.

The following individuals are currently excluded in statute from the provisions of this section: those with a certificate of license to teach in public schools; and those licensed by the Board of Registration for the Healing Arts, the Board of Nursing, the Board of Pharmacy, the State Committee of Psychologists, the Dental Board, the Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Architects, the Board of Optometry, and the Veterinary Medical Board.

This bill removes these exclusions and requires that licensure by reciprocity for these professions be the same as any other licensed profession in this state.

Currently, only a resident of Missouri is eligible to apply for a license by reciprocity, the bill allows any person to apply if the applicant for licensure by reciprocity has had a license for at least one year in another state, territory, or the District of Columbia. The applicant must be licensed at the same practice level in the other state. The bill removes the requirement that the other jurisdiction that issued the applicant's license must have substantially similar or more stringent requirements than the licensure requirements in Missouri. Instead, the bill requires that the other jurisdiction must have minimum education requirements and, if applicable, work experience and clinical supervision requirements. If licensure in Missouri requires an examination on the law of Missouri before licensure, then an applicant can be required to take and pass an examination on the laws of Missouri before being granted a license by reciprocity.

The licensing body must review and grant or deny a license within 6 months of receiving an application under this section, unless the applicant is a military spouse, in which case the licensing body must make its decision within 30 days.

The bill explicitly prevents licensure by reciprocity if an applicant has had his or her license revoked in another jurisdiction, is currently under investigation in another jurisdiction, or has a complaint pending in another jurisdiction, or if the applicant does not have a license in good standing in the other jurisdiction or has a criminal record that would disqualify the applicant in Missouri. If another jurisdiction has taken
disciplinary action against an applicant, the oversight body must determine if the cause for the disciplinary action was corrected and the matter resolved. The oversight body may deny a license by reciprocity until the matter is resolved in the other jurisdiction. This bill removes a provision that would allow an applicant to be denied a license if granting a license by reciprocity would endanger the public health, safety, or welfare.

The provisions of licensure by reciprocity do not apply to a profession that has a licensing compact with another state. A license issued by reciprocity is valid only in Missouri and does not make a licensee eligible to be part of an interstate compact.

The provisions of the section will not apply to any of the occupations listed in subsection 6 of Section 290.257 or licensed electrical contractors.

ELECTRONIC DEATH REGISTRATION SYSTEM (Section 193.145)

Currently, the medical certification from a medical provider is entered into the electronic death registration system. This bill requires an attestation from the medical provider who completed the medical certification to be entered into the system as well.

Additionally, if the State Registrar determines that information on a document or record filed with or submitted to a local registrar is incomplete, the State Registrar shall return the records or documents with the incomplete information to the local registrar for correction by the data provider, funeral director, or person in charge of the final disposition.

CORONER STANDARDS AND TRAINING COMMISSION (Section 58.035)

This bill establishes the Coroner Standards and Training Commission which shall establish training standards relating to the operation, responsibilities and technical skills of the office of county coroner. The membership of the Commission is set forth in the bill. The Commission shall establish training standards relating to the office of county coroner and shall issue a report on such standards.

COUNTY CORONER SALARY (Section 58.095)

Currently, $1,000 of a county coroner's salary shall only be payable if he or she completes at least 20 hours of classroom instruction each year relating to the operations of the coroner's office when approved by a professional association of county coroners of Missouri. This bill provides that the Coroners Standards and Training Commission shall establish and certify such
training programs and their completion shall be submitted to the Missouri Coroners' and Medical Examiners' Association. Upon the Association's validation of certified training, it shall then submit the individual's name to the county treasurer and Department of Health and Senior Services indicating his or her compliance.

MISSOURI STATE CORONERS' TRAINING FUND (Section 58.208)

This bill creates the Missouri State Coroners' Training Fund. For any death certificate issued, there shall be a fee of $1 deposited into the fund which shall be used by the Missouri Coroners' and Medical Examiners' Association for the purpose of in-state training, equipment, and necessary supplies, and to provide aid to training programs approved by the Missouri Coroners' and Medical Examiners' Association. This fee shall be imposed and collected in addition to all other fees already being imposed and collected on the issuance of death certificates, resulting in the current total fee of $13 being increased to $14. Also, during states of emergency or disasters, local registrars may request reimbursement from the fund for copies of death certificates issued to individuals who are unable to afford the associated fees.

DEATH IN HOSPICE CARE (Sections 58.451 and 58.720)

When a death occurs under the care of a hospice, no investigation shall be required, under this bill, if the death is certified by the treating physician of the deceased or the medical director of the hospice as a named death due to disease or diagnosed illness. The hospice must give written notice to the medical examiner or coroner within 24 hours of the death.

The bill specifies that, if a coroner is not current on his or her training, the department may prohibit that coroner from signing any death certificates. In the event a coroner is unable to sign a death certificate, the county sheriff will appoint a medical professional to attest death certificates until the coroner can resume signing them or until another coroner is appointed or elected.

EXPANDED WORKFORCE ACCESS ACT (Section 324.025)

This bill creates the "Expanded Workforce Access Act of 2020". Beginning January 1, 2021, licensing authorities are required to grant a license to any applicant that has completed the 8th grade, completed a federally-approved apprenticeship program, and passed any necessary examination. The passing score for any examination cannot be higher than the passing score required for any non-apprenticeship license, and there cannot be an examination required for an apprenticeship license if there isn't one required for a
non-apprenticeship license. For some types of apprenticeships, the number of working hours required cannot be more than the number of educational hours required for a non-apprenticeship license. These provisions do not apply to occupations specified in the bill.

PROHIBITED USES OF OCCUPATIONAL FEES (Section 324.035)

Under this bill, no board, commission, or committee within the Division of Professional Registration shall utilize occupational fees, or any other fees associated with licensing requirements, for the purpose of offering continuing education classes. Any board, commission, or committee within the division shall not contract or partner with any outside vendor or agency for such purpose.

Nothing in this bill shall be construed to preclude a board, commission, or committee within the Division from utilizing occupational licensure fees for the purpose of participating in conferences, seminars, or other outreach for the purposes of communicating information to licensees with respect to changes in policy, law, or regulations.

LICENSING OF PSYCHOLOGISTS (Sections 337.020 and 337.029)

Under current law, any person seeking to obtain a license as a psychologist shall make an application to the State Committee of Psychologists and shall pay the required application fee. The Committee is not permitted to charge an application fee until such time as the application has been approved, and if an application is denied, no application fee shall be charged. This bill repeals such provision.

Current law permits a psychologist licensed in another jurisdiction to receive a license in Missouri, provided the psychologist passes a written exam on Missouri law and regulations governing the practice of psychology. Such person must also meet one of several listed criteria set forth under current law. This bill removes one listed criteria allowing a psychologist who is currently licensed or certified as a psychologist in another jurisdiction that is then a signatory to the Association of State and Provincial Psychology Board's reciprocity agreement to be eligible for a license in Missouri.

PSYCHOLOGIST CONTINUING EDUCATION REQUIREMENTS (Section 337.050)

Current law requires each licensed psychologist applying for a renewal of a license to submit proof of the completion of at least 40 hours of continuing education credit within the two-year period immediately preceding the date of the application for renewal.
This bill specifies that a minimum of three of the 40 hours of continuing education shall be dedicated to professional ethics.

ATHLETIC TRAINERS

This bill modifies provisions relating to athletic trainers, including a number of definitions.

The bill specifies that when billing a third party payer, an athletic trainer shall only bill such third party payer for services within the scope of practice of a licensed athletic trainer.

This bill requires an athletic trainer to refer any individual whose medical condition is beyond the scope of their education, training, and competence to a licensed physician.

If there is no improvement in an individual who has sustained an athletic injury within 21 days of initiation of treatment, or 10 visits, the athletic trainer shall refer the individual to a physician.

The practice of athletic training shall not include the reconditioning or rehabilitation of systemic neurologic or cardiovascular injuries, conditions, or diseases, except for an athlete participating in a sanctioned amateur or professional sport or recreational sport activity under the supervision of a treating physician.

No person shall hold himself or herself out as an athletic trainer, or to be practicing athletic training, by title or description, unless such person has been licensed.

Currently, the Board is required to make available a roster of the name and business addresses of all athletic trainers licensed in the state. This bill removes the requirement that such information be annually prepared, and that copies be made available to any person upon request. In addition, this bill removes the requirement that the Board set the fee for the roster, and adopt an official seal.

Currently, any person seeking licensure after August 28, 2006, must be a resident, or in the process of establishing residency in the state, and have passed the National Athletic Trainers Association Board of Certification examination. This bill specifies that any person seeking licensure is required only to have passed the Board of Certification, Inc.'s examination.

All applications for initial licensure shall, under current law, be
accompanied by an initial licensure fee which shall be paid to the Director of Revenue and deposited by the State Treasurer. Under this bill, all fees charged by the Board shall be collected and deposited into the Board of Registration for the Healing Arts Fund.

Currently, all licenses issued under these provisions expire on January 30 of each year. This bill changes the expiration date on all licenses pursuant to a schedule established by rule.

This bill adds a provision allowing the Board to deny a license or seek discipline if any person has practiced in the state of Missouri while no longer certified as an athletic trainer by the Board of Certification, Inc.

The bill requires the Missouri Athletic Trainer Advisory Committee to be composed of 6 members, rather than 5, to be appointed by the Board. Each member of the Committee shall be a resident of the state of Missouri for five years immediately preceding appointment, and remain a resident of Missouri throughout the term. The additional member shall be a member of the Board.

Currently, dentists licensed by the Missouri Dental Board, and optometrists licensed by the State Board of Optometry are exempt from athletic training licensing provisions. This bill specifies that dentists and optometrists are not exempt from athletic training licensing provisions.

This bill allows any athletic trainer holding a valid credential from other nations, states, or territories performing their duties for their respective teams or organizations if they restrict their duties only to their teams or organizations and only during the course of their teams' or organizations' visit, not to exceed 30 days in one calendar year and exempts him or her from athletic training licensing provisions.

OPTOMETRISTS

This bill requires optometrists to have two hours of continuing education in Missouri jurisprudence every two years, which can count toward their current required hours.

FRESH START ACT (Section 324.012)

This bill establishes the Fresh Start Act of 2020.

Beginning January 1, 2021, no person shall be disqualified by a state licensing authority from pursuing or practicing in any occupation for which a license is required solely or in part because of a prior conviction of a crime in this state or another
state, unless the crime is directly related to the duties and responsibilities for the licensed occupation.

If an individual is charged with any of the crimes set forth in the bill and is convicted, pleads guilty to, or is found guilty of a lesser included offense, and is sentenced to a period of incarceration, such conviction shall only be considered by state licensing authorities as a criminal offense that directly relates to the duties and responsibilities of a licensed profession for four years.

Beginning August 28, 2020, applicants for licensure who have pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any offenses specified in the bill may be considered by licensing authorities to have committed a criminal offense that directly relates to the duties and responsibilities of a licensed profession.

An individual with a criminal record may petition a licensing authority at any time for a determination of whether they will be disqualified from receiving a license. The licensing authority is required to inform the individual of his or her standing within 30 days of receiving the petition, and may charge a fee, no greater than $25, to recoup the costs.

If a licensing authority denies an individual a license solely or in part because of the individual's prior criminal conviction, the licensing authority shall notify the individual in writing of the reasons for the denial, that the individual has the right to a hearing to challenge the decision, the earliest date the person may reapply for a license, and that evidence of rehabilitation may be considered upon reapplication. If the licensing authority grants a license to an individual, such decision shall be binding unless such individual commits a subsequent crime that directly relates to the occupation for which the individual is licensed, or upon discovery that such person failed to disclose information regarding a prior conviction in the license petition process.

Any written determination by the licensing authority that an applicant's criminal conviction is a specifically listed disqualifying conviction and is directly related to the duties and responsibilities for the licensed occupation shall be documented with written findings for each reason by clear and convincing evidence sufficient for a reviewing court. In any administrative hearing or civil litigation, the licensing authority shall carry the burden of proof on the question of whether the applicant's criminal conviction directly relates to the occupation for which the license was sought.
This bill shall apply to any profession for which an occupational license is issued in this state, excluding peace officers or other law enforcement personnel, accountants, podiatrists, dentists, physicians and surgeons, pharmacists, nurses, veterinarians, teachers real estate brokers, real estate salespersons, or real estate broker-salespersons, or any persons under the supervision or jurisdiction of the Director of Finance, and including any new occupational license created by a state licensing authority after August 28, 2020. Political subdivisions are prohibited from creating any new occupational licenses after August 28, 2020.

Any licensing board participating in a compact shall submit any information regarding a licensee's conviction of any criminal offense, regardless of whether or not such offense is directly related to the duties and responsibilities of the profession, to the relevant coordinated licensure information system.

Provisions of law relating to the denial of licensure, denial of license renewal, or revocation of a certificate of registration for any offense reasonably related to the qualifications, functions or duties of the occupation, an essential element of which is fraud, dishonesty, an act of violence or moral turpitude are repealed for the following occupations and professions, and a requirement that no person applying for such licensure have committed an offense directly related to the duties and responsibilities of the occupation as set forth in the bill, is added for: Acupuncturists; Anesthesiologist assistants; Architects, professional engineers, land surveyors, landscape architects; Athlete agents; Baccalaureate social workers; Barbers; Behavior analysts; Boxing and wrestling; Chiropractors; Cosmetologists; Dieticians; Electrical contractors; Endowed care cemetery operators; Geologists; Hearing aid fitters and dealers; Interior designers; Interpreters for the deaf; Marital and family therapists; Massage therapists; Nursing home administrators; Occupational therapists; Optometrists; Physical therapists; Physical therapist assistants; Private investigators; Professional counselors; Real estate agents, brokers, appraisers, and escrow agents; Real estate appraisers and appraisal management companies; Respiratory care therapists; Social workers; Speech All applications for initial licensure shall, under current law, be accompanied by an initial licensure fee which shall be paid to the Director of Revenue and deposited by the State Treasurer. Under this bill, all fees charged by the Board shall be collected and deposited into the Board of Registration for the Healing Arts Fund.

All licenses issued under current law shall expire on January 30 of each year. Under this bill, all licenses shall expire pursuant to a schedule established by rule.

This bill adds a provision allowing the Board to deny a license or
seek discipline if any person has practiced in the state of Missouri while no longer certified as an athletic trainer by the Board of Certification, Inc.

Under this bill, the Missouri Athletic Trainer Advisory Committee is to be composed of 6 members, rather than 5, to be appointed by the Board. Each member of the Committee shall be a resident of the state of Missouri for five years immediately preceding appointment, and remain a resident of Missouri throughout the term. The additional member shall be a member of the Board.

Current law exempts dentists licensed by the Missouri Dental Board, and optometrists licensed by the State Board of Optometry. Under this bill, dentists and optometrists are not exempt from athletic training licensing provisions.

Under this act, athletic trainers holding a valid credential from other nations, states, or territories performing their duties for their respective teams or organizations if they restrict their duties only to their teams or organizations and only during the course of their teams' or organizations' visit, not to exceed 30 days in one calendar year, in this state are exempt from athletic training licensing provisions.

GUIDELINES FOR REGULATION OF CERTAIN OCCUPATIONS (Section 324.047)

This bill provides that nothing in current law regarding prospective regulation of professions shall be construed to change any requirement for an individual to hold current private certification as a condition of licensure or renewal of licensure, and shall not require a private certification organization to grant or deny private certification to any individual.

CHARITABLE PHARMACIES (Section 338.220)

Current law sets forth classes of pharmacy permits or licenses. This bill adds "charitable pharmacy" as a Class Q pharmacy.

PHYSICIAN ASSISTANTS TO SERVE AS STAFF ON AMBULANCES (Sections 190.094, 190.105, 190.143, and 190.196)

Physician assistants may serve as staff on an ambulance. When attending a patient on an ambulance, the physician assistant shall be exempt from any mileage limitations in any collaborative practice arrangement prescribed under law.

LICENSES ACCOUNTANTS (Section 326.277, 326.280, and 326.289)

This bill amends requirements to become a licensed accountant after June 30, 2021, to also include a requirement that the applicant has
completed at least 120 semester hours of college education with an accounting concentration and allows the board to obtain specified information regarding peer review from any approved American Institute for Certified Public Accountants peer review program.