

FIRST REGULAR SESSION

HOUSE BILL NO. 555

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES COOPER (155) (Sponsor), SCHAAF, BURNETT, DAY,
ONDER AND PEARCE (Co-sponsors).

Read 1st time January 24, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0967L.01I

AN ACT

To amend chapter 337, RSMo, by adding thereto one new section relating to licensed professional counselors.

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

Section A. Chapter 337, RSMo, is amended by adding thereto one new section, to be
2 known as section 337.528, to read as follows:

**337.528. 1. If the committee finds merit to a complaint by an individual
2 incarcerated or under the care and control of the department of corrections and takes
3 further investigative action, no documentation may appear on file or disciplinary action
4 may be taken in regards to the licensee's license unless the provisions of subsection 2 of
5 section 337.525 have been violated. Any case file documentation that does not result in the
6 committee filing an action under subsection 2 of section 337.525 shall be destroyed within
7 three months after the final case disposition by the board. No notification to any other
8 licensing board in another state or any national registry regarding any investigative action
9 shall be made unless the provisions of subsection 2 of section 337.525 have been violated.**
10 **2. Upon written request of the licensed professional counselor subject to a
11 complaint, prior to August 28, 2007, by an individual incarcerated or under the care and
12 control of the department of corrections that did not result in the committee filing an
13 action under subsection 2 of section 337.525, the committee and the division of professional
14 registration shall in a timely fashion:**

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.

- 15 **(1) Destroy all documentation regarding the complaint;**
16 **(2) Notify any other licensing board in another state or any national registry**
17 **regarding the committee's actions if they have been previously notified of the complaint;**
18 **and**
19 **(3) Send a letter to the licensee that clearly states that the committee found the**
20 **complaint to be unsubstantiated, that the committee has taken the requested action, and**
21 **notify the licensee of the provisions of subsection 3 of this section.**
22 **3. Any person who has been the subject of an unsubstantiated complaint as**
23 **provided in subsection 1 or 2 of this section shall not be required to disclose the existence**
24 **of such complaint in subsequent applications or representations relating to their counseling**
25 **professions.**

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