

SECOND REGULAR SESSION

# HOUSE BILL NO. 2226

95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WASSON.

5205L.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 337.700, 337.703, 337.706, 337.715, 337.718, 337.727, and 337.739, RSMo, and to enact in lieu thereof eight new sections relating to marital and family therapists.

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

Section A. Sections 337.700, 337.703, 337.706, 337.715, 337.718, 337.727, and  
2 337.739, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as  
3 sections 337.700, 337.703, 337.705, 337.706, 337.715, 337.718, 337.727, and 337.739, to read  
4 as follows:

337.700. As used in sections 337.700 to 337.739, the following terms mean:

- 2 (1) "Committee", the state committee for family and marital therapists;
- 3 (2) "Department", the Missouri department of insurance, financial institutions and  
4 professional registration;
- 5 (3) "Director", the director of the division of professional registration;
- 6 (4) "Division", the division of professional registration;
- 7 (5) "Fund", the marital and family therapists' fund created in section 337.712;
- 8 (6) "Licensed marital and family therapist", a person to whom a license has been issued  
9 pursuant to the provisions of sections 337.700 to 337.739, whose license is in force and not  
10 suspended or revoked;
- 11 (7) "Marital and family therapy", the use of scientific and applied marriage and family  
12 theories, methods and procedures for the purpose of describing, diagnosing, evaluating and  
13 modifying marital, family and individual behavior within the context of marital and family  
14 systems, including the context of marital formation and dissolution. Marriage and family therapy  
15 is based on systems theories, marriage and family development, normal and dysfunctional

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.

16 behavior, human sexuality and psychotherapeutic, marital and family therapy theories and  
17 techniques and includes the use of marriage and family therapy theories and techniques in the  
18 diagnosis, evaluation, assessment and treatment of intrapersonal or interpersonal dysfunctions  
19 within the context of marriage and family systems. Marriage and family therapy may also  
20 include clinical research into more effective methods for the treatment and prevention of the  
21 above-named conditions;

22 (8) "Practice of marital and family therapy", the rendering of professional marital and  
23 family therapy services to individuals, family groups and marital pairs, singly or in groups,  
24 whether such services are offered directly to the general public or through organizations, either  
25 public or private, for a fee, monetary or otherwise;

26 (9) **"Provisional licensed marital and family therapist", any person who is a**  
27 **graduate of an acceptable education institution described in subsection 1 of section 337.715**  
28 **with at least a master's degree in marital and family therapy, or its equivalent, and meets**  
29 **all requirements of a licensed marital and family therapist other than the supervised**  
30 **clinical experience set forth in section 337.715, and who is supervised by a person who is**  
31 **qualified to be a supervisor, as defined by rule of the division.**

337.703. No person shall use the title of "licensed marital and family therapist", "marital  
2 and family therapist", "provisional **licensed** marital and family therapist", or engage in the  
3 practice of marital and family therapy in this state unless the person is licensed as required by  
4 the provisions of sections 337.700 to 337.739. Sections 337.700 to 337.739 shall not apply to:

5 (1) Any person registered, certificated or licensed by this state, another state or any  
6 recognized national certification agent acceptable to the division to practice any other occupation  
7 or profession while rendering services similar in nature to marital and family therapy in the  
8 performance of the occupation or profession in which the person is registered, certificated or  
9 licensed, so long as the person does not use the title of "licensed marital and family therapist",  
10 "marital and family therapist", or "provisional **licensed** marital and family therapist";

11 (2) The practice of any marital and family therapist who is employed by any political  
12 subdivision, school district, agency or department of the state of Missouri while discharging the  
13 therapist's duties in that capacity; and

14 (3) Duly ordained ministers or clergy, religious workers and volunteers or Christian  
15 Science Practitioners.

**337.705. No official, employee, board, commission, or agency of the state of**  
2 **Missouri, any county, municipality, school district, or other political subdivision of this**  
3 **state shall discriminate between persons licensed under sections 337.700 to 337.739 when**  
4 **promulgating rules or when requiring or recommending services that legally may be**  
5 **performed by persons licensed under sections 337.700 to 337.739.**

337.706. 1. For a period of six months from September 1, 1995, a person may apply for  
2 licensure without examination and shall be exempt from the academic requirements of sections  
3 337.700 to 337.739 if the division is satisfied that the applicant:

- 4 (1) Has been a resident of the state of Missouri for at least the last six months; and
- 5 (2) Holds a valid license as a marital and family therapist from another state.

6 2. The division may determine by administrative rule the types of documentation needed  
7 to verify that an applicant meets the qualifications provided in subsection 1 of this section.

8 3. [After March 1, 1996,] No person may engage in marital and family therapy for  
9 compensation or hold himself or herself out as a "licensed marital and family therapist", "marital  
10 and family therapist", [or] "provisional **licensed** marital and family therapist", or "**supervised**  
11 **marital and family therapist**" unless the person complies with all educational and examination  
12 requirements and is licensed in accordance with the provisions of sections 337.700 to 337.739.

337.715. 1. Each applicant for licensure or **provisional licensure** as a marital and  
2 family therapist shall furnish evidence to the committee that:

3 (1) The applicant has a master's degree or a doctoral degree in marital and family  
4 therapy, or its equivalent, from an acceptable educational institution accredited by a regional  
5 accrediting body or accredited by an accrediting body which has been approved by the United  
6 States Department of Education;

7 (2) The applicant **for licensure as a marital and family therapist** has twenty-four  
8 months of postgraduate supervised clinical experience acceptable to the division, as the division  
9 determines by rule;

10 (3) After August 28, 2008, the applicant shall have completed a minimum of three  
11 semester hours of graduate-level course work in diagnostic systems either within the curriculum  
12 leading to a degree as defined in subdivision (1) of this subsection or as post-master's  
13 graduate-level course work. Each applicant shall demonstrate supervision of diagnosis as a core  
14 component of the postgraduate supervised clinical experience as defined in subdivision (2) of  
15 this subsection;

16 (4) Upon examination, the applicant is possessed of requisite knowledge of the  
17 profession, including techniques and applications research and its interpretation and professional  
18 affairs and ethics;

19 (5) The applicant is at least eighteen years of age, is of good moral character, is a United  
20 States citizen or has status as a legal resident alien, and has not been convicted of a felony during  
21 the ten years immediately prior to application for licensure.

22 2. Any person otherwise qualified for licensure holding a current license, certificate of  
23 registration, or permit from another state or territory of the United States or the District of  
24 Columbia to practice marriage and family therapy may be granted a license without examination

25 to engage in the practice of marital and family therapy in this state upon application to the state  
26 committee, payment of the required fee as established by the state committee, and satisfaction  
27 of the following:

28 (1) Determination by the state committee that the requirements of the other state or  
29 territory are substantially the same as Missouri;

30 (2) Verification by the applicant's licensing entity that the applicant has a current license;  
31 and

32 (3) Consent by the applicant to examination of any disciplinary history in any state.

33 3. The state committee shall issue a license to each person who files an application and  
34 fee as required by the provisions of sections 337.700 to 337.739.

337.718. 1. Each license issued pursuant to the provisions of sections 337.700 to  
2 337.739 shall expire on a renewal date established by the director. The term of licensure shall  
3 be twenty-four months; however, the director may establish a shorter term for the first licenses  
4 issued pursuant to sections 337.700 to 337.739. The division shall renew any license upon  
5 application for a renewal and upon payment of the fee established by the division pursuant to the  
6 provisions of section 337.712. Effective August 28, 2008, as a prerequisite for renewal, each  
7 [licensee] **licensed marital and family therapist** shall furnish to the committee satisfactory  
8 evidence of the completion of the requisite number of hours of continuing education as defined  
9 by rule, which shall be no more than forty contact hours biennially. The continuing education  
10 requirements may be waived by the committee upon presentation to the committee of satisfactory  
11 evidence of illness or for other good cause.

12 2. The committee may issue temporary permits to practice under extenuating  
13 circumstances as determined by the committee and defined by rule.

337.727. The committee shall promulgate rules and regulations pertaining to:

2 (1) The form and content of license applications required by the provisions of sections  
3 337.700 to 337.739 and the procedures for filing an application for an initial or renewal license  
4 in this state;

5 (2) Fees required by the provisions of sections 337.700 to 337.739;

6 (3) The content, conduct and administration of the licensing examination required by  
7 section 337.715;

8 (4) The characteristics of supervised clinical experience as that term is used in section  
9 337.715;

10 (5) The equivalent of the basic educational requirements set forth in section 337.715;

11 (6) The standards and methods to be used in assessing competency as a [licensed] marital  
12 and family therapist;

13 (7) Establishment and promulgation of procedures for investigating, hearing and  
14 determining grievances and violations occurring under the provisions of sections 337.700 to  
15 337.739;

16 (8) Development of an appeal procedure for the review of decisions and rules of  
17 administrative agencies existing under the constitution or laws of this state;

18 (9) Establishment of a policy and procedure for reciprocity with other states, including  
19 states which do not have marital and family therapist licensing laws or states whose licensing  
20 laws are not substantially the same as those of this state; and

21 (10) Any other policies or procedures necessary to the fulfillment of the requirements  
22 of sections 337.700 to 337.739.

337.739. 1. There is created and established the "State Committee of Marital and Family  
2 Therapists" which shall consist of four family and marital therapists and two voting public  
3 members. The committee shall be appointed by the governor with the advice and consent of the  
4 senate. Committee members shall serve for a term of five years, except for the members first  
5 appointed, one public member and one other member shall be appointed for five years, two  
6 members shall be appointed for four years, the other public member and one other member  
7 appointed for three years. No person shall be eligible for appointment to the committee who has  
8 served as a member of the committee for a total of ten years. Members shall be appointed to  
9 represent a diversity in gender, race and ethnicity. No more than three members shall be from  
10 the same political party.

11 2. Each nonpublic committee member shall be a resident of the state of Missouri for one  
12 year, shall be a United States citizen, and shall meet all the requirements for licensing  
13 enumerated in sections 337.700 to 337.739, shall be licensed [pursuant to] **as a licensed marital  
14 and family therapist under** sections 337.700 to 337.739, except the members of the first  
15 committee, who shall be licensed within six months of their appointment, and are actively  
16 engaged in the practice of marital and family therapy. If a member of the committee shall, during  
17 the member's term as a committee member, remove the member's domicile from the state of  
18 Missouri, then the committee shall immediately notify the governor, and the seat of that  
19 committee member shall be declared vacant. All such vacancies shall be filled by appointment  
20 as in the same manner as the first appointment, and the member so appointed shall serve for the  
21 unexpired term of the member whose seat has been declared vacant. The public members shall  
22 be at the time of each member's appointment a citizen of the United States; a resident of this state  
23 for a period of one year and a registered voter; a person who is not and never was a member of  
24 any profession licensed or regulated pursuant to this chapter or the spouse of such person; a  
25 person who does not have and never has had a material, financial interest in either the provision

26 of the professional services regulated by this chapter, or an activity or organization directly  
27 related to any profession licensed or regulated pursuant to this chapter.

28         3. The committee shall hold a regular annual meeting at which it shall select from among  
29 its members a chairman and a secretary. A quorum of the committee shall consist of a majority  
30 of its members. In the absence of the chairman, the secretary shall conduct the office of the  
31 chairman.

32         4. No member of the committee shall receive any compensation for the performance of  
33 the member's official duties but shall be entitled to reimbursement for necessary and actual  
34 expenses incurred in the performance of the member's duties. The committee shall share  
35 resources and facilities with the office for the committee for professional counselors provided  
36 for in sections 337.500 to 337.540. All staff for the committee shall be provided by the director  
37 of the division of professional registration.

38         5. The governor may remove any member of the committee for misconduct, inefficiency,  
39 incompetency or neglect of office.

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