

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 815

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BASYE.

1514H.01P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal sections 335.021 and 345.051, RSMo, and to enact in lieu thereof three new sections relating to the regulation of certain professions.

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

Section A. Sections 335.021 and 345.051, RSMo, are repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 324.005, 335.021, and 345.051, to read as  
3 follows:

**324.005. The division of professional registration and its component boards,  
2 committees, offices, and commissions shall permit:**

3 **(1) Any licensee or holder of a permit, certificate, or registration under this chapter  
4 to submit payment for fees so established in the form of personal check, money order,  
5 cashier's check, credit card, or electronic check;**

6 **(2) Any applicant for licensure, licensee, or holder of a permit, certificate, or  
7 registration under this chapter to apply for, replace, or renew his or her license, permit,  
8 certificate, or registration in writing or electronically;**

9 **(3) Any licensee or holder of a permit, certificate, or registration under this chapter  
10 to make requests of his or her license-granting, permit-granting, certificate-granting, or  
11 registration-granting board or commission for extensions of time to complete continuing  
12 education; notify his or her license-granting, permit-granting, certificate-granting, or  
13 registration-granting board or commission of changes to name, business name, home  
14 address, or work address; and provide any other items required as part of licensure,**

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 **certification, or registration or any items required as part of a permit to his or her**  
16 **licensure, permitting, certification, or registration board in writing or electronically.**

335.021. 1. "The Missouri State Board of Nursing" shall consist of nine members, five  
2 of whom must be registered professional nurses. [~~Two members~~] **One member** of the board  
3 must be a licensed practical [~~nurses~~] **nurse** and one member a voting public member. Two of  
4 the five registered professional nurses shall hold a graduate degree in nursing, and at least one  
5 of the professional nurse members shall represent nursing practice **and at least one member**  
6 **shall be an advanced practice registered nurse.** Any person, other than the public member,  
7 appointed to the board as hereinafter provided shall be a citizen of the United States and a  
8 resident of this state for a period of at least one year, a licensed nurse in this state, and shall have  
9 been actively engaged in nursing for at least three years immediately preceding the appointment  
10 or reappointment. Membership on the board shall include representatives with expertise in each  
11 level of educational programs the graduates of which are eligible to apply for licensure such as  
12 practical, diploma, associate degree, and baccalaureate.

13 2. The governor shall appoint members to the board by and with the advice and consent  
14 of the senate when a vacancy thereon occurs either by the expiration of a term or otherwise;  
15 provided, however, that any board member shall serve until his or her successor is appointed and  
16 qualified. Every appointment except to fulfill an unexpired term shall be for a term of four years,  
17 but no person shall be appointed to more than two consecutive terms.

18 3. At least ninety days before the expiration of a term of a board member, and as soon  
19 as feasible after the occurrence of a vacancy on the board for reasons other than the expiration  
20 of a term, a list of three licensed and qualified nurses shall be submitted to the director of the  
21 division of professional registration. The list shall be submitted by **the Association of Missouri**  
22 **Nurse Practitioners if the vacancy is for an advanced practice registered nurse,** the Missouri  
23 Nurses Association if the vacancy is for a registered professional nurse, and by the Missouri  
24 State Association of Licensed Practical Nurses if the vacancy is for a licensed practical nurse.  
25 The governor may appoint a board member to fill the vacancy from the list submitted, or may  
26 appoint some other qualified licensed nurse. This subsection shall not apply to public member  
27 vacancies.

28 4. The public member shall be at the time of his or her appointment a citizen of the  
29 United States; a resident of this state for a period of one year and a registered voter; a person who  
30 is not and never was a member of any profession licensed or regulated pursuant to this chapter  
31 or the spouse of such person; and a person who does not have and never has had a material,  
32 financial interest in either the providing of the professional services regulated by this chapter,  
33 or an activity or organization directly related to any profession licensed or regulated pursuant to  
34 this chapter. All members, including public members, shall be chosen from lists submitted by

35 the director of the division of professional registration. The duties of the public member shall  
36 not include the determination of the technical requirements to be met for licensure or whether  
37 any person meets such technical requirements or of the technical competence or technical  
38 judgment of a licensee or a candidate for licensure.

345.051. 1. Every person licensed or registered pursuant to the provisions of sections  
2 345.010 to 345.080 shall renew the license or registration on or before the renewal date. Such  
3 renewal date shall be determined by the board. The application shall be made on a form  
4 furnished by the board. The application shall include, but not be limited to, disclosure of the  
5 applicant's full name and the applicant's office and residence addresses and the date and number  
6 of the applicant's license or registration, all final disciplinary actions taken against the applicant  
7 by any speech-language-hearing association or society, state, territory or federal agency or  
8 country and information concerning the applicant's current physical and mental fitness to  
9 practice.

10 2. A blank form for application for license or registration renewal shall be mailed to each  
11 person licensed or registered in this state at the person's last known office or residence address.  
12 The failure to mail the form of application or the failure to receive it does not, however, relieve  
13 any person of the duty to renew the license or registration and pay the fee required by sections  
14 345.010 to 345.080 for failure to renew the license or registration.

15 3. An applicant for renewal of a license or registration under this section shall:

16 (1) Submit an amount established by the board; and

17 (2) Meet any other requirements the board establishes as conditions for license or  
18 registration renewal, including the demonstration of continued competence to practice the  
19 profession for which the license or registration is issued. A requirement of continued  
20 competence may include, but is not limited to, **up to thirty hours triennially of** continuing  
21 education, examination, self-evaluation, peer review, performance appraisal or practical  
22 simulation.

23 4. If a license or registration is suspended pursuant to section 345.065, the license or  
24 registration expires on the expiration date as established by the board for all licenses and  
25 registrations issued pursuant to sections 345.010 to 345.080. Such license or registration may  
26 be renewed but does not entitle the licensee to engage in the licensed or registered activity or in  
27 any other conduct or activity which violates the order of judgment by which the license or  
28 registration was suspended until such license or registration has been reinstated.

29 5. If a license or registration is revoked on disciplinary grounds pursuant to section  
30 345.065, the license or registration expires on the expiration date as established by the board for  
31 all licenses and registrations issued pursuant to sections 345.010 to 345.080. Such license or  
32 registration may not be renewed. If a license or registration is reinstated after its expiration, the

33 licensee, as a condition of reinstatement, shall pay a reinstatement fee that is equal to the renewal  
34 fee in effect on the last regular renewal date immediately preceding the date of reinstatement plus  
35 any late fee established by the board.

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