

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 796
99TH GENERAL ASSEMBLY

5456H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 190.101, 190.142, 327.313, 327.321, 334.104, 334.253, 334.735, 337.020, 337.025, 337.029, 337.033, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718, RSMo, and to enact in lieu thereof forty-nine new sections relating to the licensure of professionals, with a contingent effective date for certain sections.

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

Section A. Sections 190.101, 190.142, 327.313, 327.321, 334.104, 334.253, 334.735, 2 337.020, 337.025, 337.029, 337.033, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 3 337.662, 337.712, and 337.718, RSMo, are repealed and forty-nine new sections enacted in lieu 4 thereof, to be known as sections 190.101, 190.142, 324.046, 327.313, 327.321, 334.104, 5 334.253, 334.735, 334.1500, 334.1503, 334.1506, 334.1509, 334.1512, 334.1515, 334.1518, 6 334.1521, 334.1524, 334.1527, 334.1530, 334.1533, 334.1536, 334.1539, 337.020, 337.025, 7 337.029, 337.033, 337.100, 337.105, 337.110, 337.115, 337.120, 337.125, 337.130, 337.135, 8 337.140, 337.145, 337.150, 337.155, 337.160, 337.165, 337.315, 337.320, 337.507, 337.510, 9 337.612, 337.618, 337.662, 337.712, and 337.718, to read as follows:

190.101. 1. There is hereby established a "State Advisory Council on Emergency 2 Medical Services" which shall consist of sixteen members, one of which shall be a resident of 3 a city not within a county. The members of the council shall be appointed by the governor with 4 the advice and consent of the senate and shall serve terms of four years. The governor shall 5 designate one of the members as chairperson. The chairperson may appoint subcommittees that 6 include noncouncil members.

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.

7 2. The state EMS medical directors advisory committee and the regional EMS advisory
8 committees will be recognized as subcommittees of the state advisory council on emergency
9 medical services.

10 3. The council shall have geographical representation and representation from
11 appropriate areas of expertise in emergency medical services including volunteers, professional
12 organizations involved in emergency medical services, EMT's, paramedics, nurses, firefighters,
13 physicians, ambulance service administrators, hospital administrators and other health care
14 providers concerned with emergency medical services. The regional EMS advisory committees
15 shall serve as a resource for the identification of potential members of the state advisory council
16 on emergency medical services.

17 4. The members of the council and subcommittees shall serve without compensation
18 except that members of the council shall, subject to appropriations, be reimbursed for reasonable
19 travel expenses and meeting expenses related to the functions of the council.

20 5. The purpose of the council is to make recommendations to the governor, the general
21 assembly, and the department on policies, plans, procedures and proposed regulations on how
22 to improve the statewide emergency medical services system. The council shall advise the
23 governor, the general assembly, and the department on all aspects of the emergency medical
24 services system.

25 **6. (1) There is hereby established a standing subcommittee of the State Advisory**
26 **Council on Emergency Medical Services (SAC) to monitor the implementation of the**
27 **recognition of the EMS personnel licensure interstate compact (REPLICA), the interstate**
28 **commission for EMS personnel practice, and the involvement of the state of Missouri. The**
29 **subcommittee of SAC shall meet at least biannually and receive reports from the Missouri**
30 **delegate to the interstate commission for EMS personnel practice. The subcommittee shall**
31 **consist of at least seven members appointed by the chair of SAC, to include at least two**
32 **members as recommended by the Missouri State Council of Firefighters and one member**
33 **as recommended by the Missouri Association of Fire Chiefs. The subcommittee may**
34 **submit, as determined by the subcommittee, reports and recommendations to SAC, the**
35 **Missouri department of health and senior services, the Missouri general assembly, and the**
36 **governor regarding the participation of Missouri with the recognition of the EMS**
37 **personnel licensure interstate compact.**

38 **(2) The subcommittee of SAC shall formally request a public hearing for any rule**
39 **proposed by the interstate commission for EMS personnel practice in accordance with**
40 **subsection 7 of 334.1530. The hearing request shall include the request that the hearing**
41 **be presented live via the internet. The Missouri delegate to the interstate commission for**
42 **EMS personnel practice shall be responsible for ensuring that all hearings, notices of, and**

43 related rulemaking communications as required by the compact be communicated to SAC
44 and EMS personnel via the provisions of subsections 4, 5, 6, and 8 of section 334.1530.

45 (3) The Missouri department of health and senior services shall not establish or
46 increase fees for Missouri EMS personnel licensure in accordance with chapter 190 for the
47 purpose of creating the funds necessary for payment of an annual assessment as cited in
48 subdivision (3) of subsection 5 of section 334.1524.

190.142. 1. (1) For applications submitted before the recognition of EMS personnel
2 licensure interstate compact under sections 334.1500 to 334.1539 takes effect, the department
3 shall, within a reasonable time after receipt of an application, cause such investigation as it
4 deems necessary to be made of the applicant for an emergency medical technician's license; and

5 (2) For applications submitted after the recognition of EMS personnel licensure
6 interstate compact under sections 334.1500 to 334.1539 takes effect, an applicant for initial
7 licensure as an emergency medical technician in this state shall submit to a background
8 check by the Missouri state highway patrol and the Federal Bureau of Investigation
9 through a process approved by the department of health and senior services. Such
10 processes may include the use of vendors or systems administered by the Missouri state
11 highway patrol. The department may share the results of such a criminal background
12 check with any emergency services licensing agency in any member state, as that term is
13 defined under section 334.1500, of the recognition of EMS personnel licensure interstate
14 compact. The department shall not issue a license until the department receives the results
15 of an applicant's criminal background check from the Missouri state highway patrol and
16 the Federal Bureau of Investigation, but, notwithstanding this subsection, the department
17 may issue a temporary license as provided under section 190.143. Any fees due for a
18 criminal background check shall be paid by the applicant.

19

20 The director may authorize investigations into criminal records in other states for any applicant.

21 2. The department shall issue a license to all levels of emergency medical technicians,
22 for a period of five years, if the applicant meets the requirements established pursuant to sections
23 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to
24 190.245. The department may promulgate rules relating to the requirements for an emergency
25 medical technician including but not limited to:

26 (1) Age requirements;

27 (2) Education and training requirements based on respective national curricula of the
28 United States Department of Transportation and any modification to such curricula specified by
29 the department through rules adopted pursuant to sections 190.001 to 190.245;

30 (3) Initial licensure testing requirements. Initial EMT-P licensure testing shall be
31 through the national registry of EMTs or examinations developed and administered by the
32 department of health and senior services;

33 (4) Continuing education and relicensure requirements; and

34 (5) Ability to speak, read and write the English language.

35 3. Application for all levels of emergency medical technician license shall be made upon
36 such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to
37 190.245. The application form shall contain such information as the department deems
38 necessary to make a determination as to whether the emergency medical technician meets all the
39 requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001
40 to 190.245.

41 4. All levels of emergency medical technicians may perform only that patient care which
42 is:

43 (1) Consistent with the training, education and experience of the particular emergency
44 medical technician; and

45 (2) Ordered by a physician or set forth in protocols approved by the medical director.

46 5. No person shall hold themselves out as an emergency medical technician or provide
47 the services of an emergency medical technician unless such person is licensed by the
48 department.

49 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
50 under the authority delegated in this section shall become effective only if it complies with and
51 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
52 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
53 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
54 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
55 proposed or adopted after August 28, 2002, shall be invalid and void.

324.046. 1. For the purposes of this section, the term "health care professional"
2 **shall mean a physician, other health care practitioner, or mental health professional**
3 **licensed, accredited, or certified by the state of Missouri to perform specified health**
4 **services.**

5 **2. Any health care professional in the state of Missouri may annually complete**
6 **training in the areas of suicide assessment, referral, treatment, and management, which**
7 **may qualify as part of the continuing education requirements for his or her licensure.**

327.313. Applications for enrollment as a land surveyor-in-training shall be typewritten
2 on prescribed forms furnished to the applicant. The application shall contain applicant's
3 statements showing the applicant's education, experience, and such other pertinent information

4 as the board may require~~], including but not limited to three letters of reference, one of which~~
5 ~~shall be from a professional land surveyor who has personal knowledge of the applicant's land~~
6 ~~surveying education or experience]~~. Each application shall contain a statement that it is made
7 under oath or affirmation and that the representations are true and correct to the best knowledge
8 and belief of the applicant, subject to the penalties of making a false affidavit or declaration and
9 shall be accompanied by the required fee.

327.321. Applications for licensure as a professional land surveyor shall be typewritten
2 on prescribed forms furnished to the applicant. The application shall contain the applicant's
3 statements showing the applicant's education, experience, results of prior land surveying
4 examinations, if any, and such other pertinent information as the board may require~~], including~~
5 ~~but not limited to three letters of reference from professional land surveyors with personal~~
6 ~~knowledge of the experience of the applicant's land surveying education or experience]~~. Each
7 application shall contain a statement that it is made under oath or affirmation and that its
8 representations are true and correct to the best knowledge and belief of the person signing same,
9 subject to the penalties of making a false affidavit or declaration and shall be accompanied by
10 the required fee.

334.104. 1. A physician may enter into collaborative practice arrangements with
2 registered professional nurses. Collaborative practice arrangements shall be in the form of
3 written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health
4 care services. Collaborative practice arrangements, which shall be in writing, may delegate to
5 a registered professional nurse the authority to administer or dispense drugs and provide
6 treatment as long as the delivery of such health care services is within the scope of practice of
7 the registered professional nurse and is consistent with that nurse's skill, training and
8 competence.

9 2. Collaborative practice arrangements, which shall be in writing, may delegate to a
10 registered professional nurse the authority to administer, dispense or prescribe drugs and provide
11 treatment if the registered professional nurse is an advanced practice registered nurse as defined
12 in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an
13 advanced practice registered nurse, as defined in section 335.016, the authority to administer,
14 dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017,
15 and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not
16 delegate the authority to administer any controlled substances listed in Schedules III, IV, and V
17 of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general
18 anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled
19 substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-
20 hour supply without refill. Such collaborative practice arrangements shall be in the form of

21 written agreements, jointly agreed-upon protocols or standing orders for the delivery of health
22 care services.

23 3. The written collaborative practice arrangement shall contain at least the following
24 provisions:

25 (1) Complete names, home and business addresses, zip codes, and telephone numbers
26 of the collaborating physician and the advanced practice registered nurse;

27 (2) A list of all other offices or locations besides those listed in subdivision (1) of this
28 subsection where the collaborating physician authorized the advanced practice registered nurse
29 to prescribe;

30 (3) A requirement that there shall be posted at every office where the advanced practice
31 registered nurse is authorized to prescribe, in collaboration with a physician, a prominently
32 displayed disclosure statement informing patients that they may be seen by an advanced practice
33 registered nurse and have the right to see the collaborating physician;

34 (4) All specialty or board certifications of the collaborating physician and all
35 certifications of the advanced practice registered nurse;

36 (5) The manner of collaboration between the collaborating physician and the advanced
37 practice registered nurse, including how the collaborating physician and the advanced practice
38 registered nurse will:

39 (a) Engage in collaborative practice consistent with each professional's skill, training,
40 education, and competence;

41 (b) Maintain geographic proximity, except the collaborative practice arrangement may
42 allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar
43 year for **certified community behavioral health clinics as defined by P.L. 113-93** and rural
44 health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement
45 includes alternative plans as required in paragraph (c) of this subdivision. This exception to
46 geographic proximity shall apply only to **certified community behavioral health clinics**,
47 independent rural health clinics, provider-based rural health clinics where the provider is a
48 critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health
49 clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic.
50 The collaborating physician is required to maintain documentation related to this requirement
51 and to present it to the state board of registration for the healing arts when requested; and

52 (c) Provide coverage during absence, incapacity, infirmity, or emergency by the
53 collaborating physician;

54 (6) A description of the advanced practice registered nurse's controlled substance
55 prescriptive authority in collaboration with the physician, including a list of the controlled

56 substances the physician authorizes the nurse to prescribe and documentation that it is consistent
57 with each professional's education, knowledge, skill, and competence;

58 (7) A list of all other written practice agreements of the collaborating physician and the
59 advanced practice registered nurse;

60 (8) The duration of the written practice agreement between the collaborating physician
61 and the advanced practice registered nurse;

62 (9) A description of the time and manner of the collaborating physician's review of the
63 advanced practice registered nurse's delivery of health care services. The description shall
64 include provisions that the advanced practice registered nurse shall submit a minimum of ten
65 percent of the charts documenting the advanced practice registered nurse's delivery of health care
66 services to the collaborating physician for review by the collaborating physician, or any other
67 physician designated in the collaborative practice arrangement, every fourteen days; and

68 (10) The collaborating physician, or any other physician designated in the collaborative
69 practice arrangement, shall review every fourteen days a minimum of twenty percent of the
70 charts in which the advanced practice registered nurse prescribes controlled substances. The
71 charts reviewed under this subdivision may be counted in the number of charts required to be
72 reviewed under subdivision (9) of this subsection.

73 4. The state board of registration for the healing arts pursuant to section 334.125 and the
74 board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of
75 collaborative practice arrangements. Such rules shall be limited to specifying geographic areas
76 to be covered, the methods of treatment that may be covered by collaborative practice
77 arrangements and the requirements for review of services provided pursuant to collaborative
78 practice arrangements including delegating authority to prescribe controlled substances. Any
79 rules relating to dispensing or distribution of medications or devices by prescription or
80 prescription drug orders under this section shall be subject to the approval of the state board of
81 pharmacy. Any rules relating to dispensing or distribution of controlled substances by
82 prescription or prescription drug orders under this section shall be subject to the approval of the
83 department of health and senior services and the state board of pharmacy. In order to take effect,
84 such rules shall be approved by a majority vote of a quorum of each board. Neither the state
85 board of registration for the healing arts nor the board of nursing may separately promulgate rules
86 relating to collaborative practice arrangements. Such jointly promulgated rules shall be
87 consistent with guidelines for federally funded clinics. The rulemaking authority granted in this
88 subsection shall not extend to collaborative practice arrangements of hospital employees
89 providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based
90 public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

91 5. The state board of registration for the healing arts shall not deny, revoke, suspend or
92 otherwise take disciplinary action against a physician for health care services delegated to a
93 registered professional nurse provided the provisions of this section and the rules promulgated
94 thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action
95 imposed as a result of an agreement between a physician and a registered professional nurse or
96 registered physician assistant, whether written or not, prior to August 28, 1993, all records of
97 such disciplinary licensure action and all records pertaining to the filing, investigation or review
98 of an alleged violation of this chapter incurred as a result of such an agreement shall be removed
99 from the records of the state board of registration for the healing arts and the division of
100 professional registration and shall not be disclosed to any public or private entity seeking such
101 information from the board or the division. The state board of registration for the healing arts
102 shall take action to correct reports of alleged violations and disciplinary actions as described in
103 this section which have been submitted to the National Practitioner Data Bank. In subsequent
104 applications or representations relating to his medical practice, a physician completing forms or
105 documents shall not be required to report any actions of the state board of registration for the
106 healing arts for which the records are subject to removal under this section.

107 6. Within thirty days of any change and on each renewal, the state board of registration
108 for the healing arts shall require every physician to identify whether the physician is engaged in
109 any collaborative practice agreement, including collaborative practice agreements delegating the
110 authority to prescribe controlled substances, or physician assistant agreement and also report to
111 the board the name of each licensed professional with whom the physician has entered into such
112 agreement. The board may make this information available to the public. The board shall track
113 the reported information and may routinely conduct random reviews of such agreements to
114 ensure that agreements are carried out for compliance under this chapter.

115 7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as
116 defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services
117 without a collaborative practice arrangement provided that he or she is under the supervision of
118 an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if
119 needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered
120 nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a
121 collaborative practice arrangement under this section, except that the collaborative practice
122 arrangement may not delegate the authority to prescribe any controlled substances listed in
123 Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

124 8. A collaborating physician shall not enter into a collaborative practice arrangement **or**
125 **supervision agreement** with more than ~~three~~ **six** full-time equivalent advanced practice
126 registered nurses **or full-time equivalent licensed physician assistants, or any combination**

127 **thereof.** This limitation shall not apply to collaborative arrangements **or supervision**
128 **agreements** of hospital employees providing inpatient care service in hospitals as defined in
129 chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of
130 April 30, 2008.

131 9. It is the responsibility of the collaborating physician to determine and document the
132 completion of at least a one-month period of time during which the advanced practice registered
133 nurse shall practice with the collaborating physician continuously present before practicing in
134 a setting where the collaborating physician is not continuously present. This limitation shall not
135 apply to collaborative arrangements of providers of population-based public health services as
136 defined by 20 CSR 2150-5.100 as of April 30, 2008.

137 10. No agreement made under this section shall supersede current hospital licensing
138 regulations governing hospital medication orders under protocols or standing orders for the
139 purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020
140 if such protocols or standing orders have been approved by the hospital's medical staff and
141 pharmaceutical therapeutics committee.

142 11. No contract or other agreement shall require a physician to act as a collaborating
143 physician for an advanced practice registered nurse against the physician's will. A physician
144 shall have the right to refuse to act as a collaborating physician, without penalty, for a particular
145 advanced practice registered nurse. No contract or other agreement shall limit the collaborating
146 physician's ultimate authority over any protocols or standing orders or in the delegation of the
147 physician's authority to any advanced practice registered nurse, but this requirement shall not
148 authorize a physician in implementing such protocols, standing orders, or delegation to violate
149 applicable standards for safe medical practice established by hospital's medical staff.

150 12. No contract or other agreement shall require any advanced practice registered nurse
151 to serve as a collaborating advanced practice registered nurse for any collaborating physician
152 against the advanced practice registered nurse's will. An advanced practice registered nurse shall
153 have the right to refuse to collaborate, without penalty, with a particular physician.

334.253. 1. A physician may not make a referral to an entity for the furnishing of any
2 physical therapy services with whom the physician, physician's employer, or immediate family
3 member of such referring physician has a financial relationship. A financial relationship exists
4 if the referring physician, the referring physician's employer, or immediate family member:

5 (1) Has a direct or indirect ownership or investment interest in the entity whether through
6 equity, debt, or other means; or

7 (2) Receives remuneration from a compensation arrangement from the entity for the
8 referral.

9 2. The following financial arrangements shall be exempt from disciplinary action under
10 this section:

11 (1) When the entity with whom the referring physician has an ownership or investment
12 interest is the sole provider of the physical therapy service within a rural area;

13 (2) When the referring physician owns registered securities issued by a publicly held
14 corporation or publicly traded limited partnership, the shares of which are traded on a national
15 exchange or the over-the-counter market, provided that such referring physician's interest in the
16 publicly held corporation or publicly traded limited partnership is less than five percent and the
17 referring physician does not receive any compensation from such publicly held corporation or
18 publicly traded limited partnership other than as any other owner of the shares of such publicly
19 held corporation or publicly traded limited partnership;

20 (3) When the referring physician has an interest in real property resulting in a landlord-
21 tenant relationship between the physician and the entity in which the equity interest is held,
22 unless the rent is determined, in whole or in part, by the business volume or profitability of the
23 tenant or is otherwise unrelated to fair market value;

24 (4) When the indirect ownership in the entity is by means of a bona fide debt incurred
25 in the purchase or acquisition of the entity for a price which does not in any manner reflect the
26 potential source of referrals from the physician with the indirect interest in the entity and the
27 terms of the debt are fair market value, and neither the amount or the terms of the debt in any
28 manner, directly or indirectly, constitutes a form of compensating such physician for the source
29 of his business;

30 (5) When such physician's employer is a health maintenance organization as defined in
31 subdivision (6) of section 376.960 and such health maintenance organization owns or controls
32 other organizations which furnish physical therapy services so long as the referral is to such
33 owned or controlled organization and the physician does not also have a direct or indirect
34 ownership or investment interest in such organization, physical therapy services or the health
35 maintenance organization and the referring physician does not receive any remuneration as the
36 result of the referral;

37 (6) When such physician's employer is a hospital defined in section 197.020 and such
38 hospital owns or controls other organizations which furnish physical therapy services so long as
39 the referral is to such owned or controlled organization and the physician does not also have a
40 direct or indirect ownership or investment interest in such organization, physical therapy service,
41 or the hospital and the referring physician does not receive any remuneration as the result of the
42 referral;

43 **(7) When such physician has direct or indirect minority ownership or investment**
44 **interest of not more than five percent in a hospital, as defined in section 197.020, whether**

45 **through equity, debt, or other means and physical therapy is offered as a service of the**
46 **hospital.**

47 3. The provisions of sections 334.252 and 334.253 shall become effective January 1,
48 1995.

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

2 (1) "Applicant", any individual who seeks to become licensed as a physician assistant;

3 (2) "Certification" or "registration", a process by a certifying entity that grants
4 recognition to applicants meeting predetermined qualifications specified by such certifying
5 entity;

6 (3) "Certifying entity", the nongovernmental agency or association which certifies or
7 registers individuals who have completed academic and training requirements;

8 (4) "Department", the department of insurance, financial institutions and professional
9 registration or a designated agency thereof;

10 (5) "License", a document issued to an applicant by the board acknowledging that the
11 applicant is entitled to practice as a physician assistant;

12 (6) "Physician assistant", a person who has graduated from a physician assistant program
13 accredited by the American Medical Association's Committee on Allied Health Education and
14 Accreditation or by its successor agency, who has passed the certifying examination administered
15 by the National Commission on Certification of Physician Assistants and has active certification
16 by the National Commission on Certification of Physician Assistants who provides health care
17 services delegated by a licensed physician. A person who has been employed as a physician
18 assistant for three years prior to August 28, 1989, who has passed the National Commission on
19 Certification of Physician Assistants examination, and has active certification of the National
20 Commission on Certification of Physician Assistants;

21 (7) "Recognition", the formal process of becoming a certifying entity as required by the
22 provisions of sections 334.735 to 334.749;

23 (8) "Supervision", control exercised over a physician assistant working with a
24 supervising physician and oversight of the activities of and accepting responsibility for the
25 physician assistant's delivery of care. The physician assistant shall only practice at a location
26 where the physician routinely provides patient care, except existing patients of the supervising
27 physician in the patient's home and correctional facilities. The supervising physician must be
28 immediately available in person or via telecommunication during the time the physician assistant
29 is providing patient care. Prior to commencing practice, the supervising physician and physician
30 assistant shall attest on a form provided by the board that the physician shall provide supervision
31 appropriate to the physician assistant's training and that the physician assistant shall not practice
32 beyond the physician assistant's training and experience. Appropriate supervision shall require

33 the supervising physician to be working within the same facility as the physician assistant for at
34 least four hours within one calendar day for every fourteen days on which the physician assistant
35 provides patient care as described in subsection 3 of this section. Only days in which the
36 physician assistant provides patient care as described in subsection 3 of this section shall be
37 counted toward the fourteen-day period. The requirement of appropriate supervision shall be
38 applied so that no more than thirteen calendar days in which a physician assistant provides
39 patient care shall pass between the physician's four hours working within the same facility. The
40 board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the
41 physician assistant activity by the supervising physician and the physician assistant.

42 2. (1) A supervision agreement shall limit the physician assistant to practice only at
43 locations described in subdivision (8) of subsection 1 of this section, where the supervising
44 physician is no further than fifty miles by road using the most direct route available and where
45 the location is not so situated as to create an impediment to effective intervention and
46 supervision of patient care or adequate review of services.

47 (2) For a physician-physician assistant team working in a rural health clinic under the
48 federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements
49 in addition to the minimum federal law shall be required.

50 3. The scope of practice of a physician assistant shall consist only of the following
51 services and procedures:

52 (1) Taking patient histories;

53 (2) Performing physical examinations of a patient;

54 (3) Performing or assisting in the performance of routine office laboratory and patient
55 screening procedures;

56 (4) Performing routine therapeutic procedures;

57 (5) Recording diagnostic impressions and evaluating situations calling for attention of
58 a physician to institute treatment procedures;

59 (6) Instructing and counseling patients regarding mental and physical health using
60 procedures reviewed and approved by a licensed physician;

61 (7) Assisting the supervising physician in institutional settings, including reviewing of
62 treatment plans, ordering of tests and diagnostic laboratory and radiological services, and
63 ordering of therapies, using procedures reviewed and approved by a licensed physician;

64 (8) Assisting in surgery;

65 (9) Performing such other tasks not prohibited by law under the supervision of a licensed
66 physician as the physician's assistant has been trained and is proficient to perform; and

67 (10) Physician assistants shall not perform or prescribe abortions.

68 4. Physician assistants shall not prescribe any drug, medicine, device or therapy unless
69 pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses,
70 prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual
71 power or visual efficiency of the human eye, nor administer or monitor general or regional block
72 anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing of drugs,
73 medications, devices or therapies by a physician assistant shall be pursuant to a physician
74 assistant supervision agreement which is specific to the clinical conditions treated by the
75 supervising physician and the physician assistant shall be subject to the following:

76 (1) A physician assistant shall only prescribe controlled substances in accordance with
77 section 334.747;

78 (2) The types of drugs, medications, devices or therapies prescribed by a physician
79 assistant shall be consistent with the scopes of practice of the physician assistant and the
80 supervising physician;

81 (3) All prescriptions shall conform with state and federal laws and regulations and shall
82 include the name, address and telephone number of the physician assistant and the supervising
83 physician;

84 (4) A physician assistant, or advanced practice registered nurse as defined in section
85 335.016 may request, receive and sign for noncontrolled professional samples and may distribute
86 professional samples to patients; and

87 (5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies
88 the supervising physician is not qualified or authorized to prescribe.

89 5. A physician assistant shall clearly identify himself or herself as a physician assistant
90 and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr."
91 or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician
92 assistant shall practice or attempt to practice without physician supervision or in any location
93 where the supervising physician is not immediately available for consultation, assistance and
94 intervention, except as otherwise provided in this section, and in an emergency situation, nor
95 shall any physician assistant bill a patient independently or directly for any services or procedure
96 by the physician assistant; except that, nothing in this subsection shall be construed to prohibit
97 a physician assistant from enrolling with the department of social services as a MO HealthNet
98 or Medicaid provider while acting under a supervision agreement between the physician and
99 physician assistant.

100 6. For purposes of this section, the licensing of physician assistants shall take place
101 within processes established by the state board of registration for the healing arts through rule
102 and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536
103 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and

104 addressing such other matters as are necessary to protect the public and discipline the profession.
105 An application for licensing may be denied or the license of a physician assistant may be
106 suspended or revoked by the board in the same manner and for violation of the standards as set
107 forth by section 334.100, or such other standards of conduct set by the board by rule or
108 regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to
109 be licensed as physician assistants. All applicants for physician assistant licensure who complete
110 a physician assistant training program after January 1, 2008, shall have a master's degree from
111 a physician assistant program.

112 7. "Physician assistant supervision agreement" means a written agreement, jointly
113 agreed-upon protocols or standing order between a supervising physician and a physician
114 assistant, which provides for the delegation of health care services from a supervising physician
115 to a physician assistant and the review of such services. The agreement shall contain at least the
116 following provisions:

117 (1) Complete names, home and business addresses, zip codes, telephone numbers, and
118 state license numbers of the supervising physician and the physician assistant;

119 (2) A list of all offices or locations where the physician routinely provides patient care,
120 and in which of such offices or locations the supervising physician has authorized the physician
121 assistant to practice;

122 (3) All specialty or board certifications of the supervising physician;

123 (4) The manner of supervision between the supervising physician and the physician
124 assistant, including how the supervising physician and the physician assistant shall:

125 (a) Attest on a form provided by the board that the physician shall provide supervision
126 appropriate to the physician assistant's training and experience and that the physician assistant
127 shall not practice beyond the scope of the physician assistant's training and experience nor the
128 supervising physician's capabilities and training; and

129 (b) Provide coverage during absence, incapacity, infirmity, or emergency by the
130 supervising physician;

131 (5) The duration of the supervision agreement between the supervising physician and
132 physician assistant; and

133 (6) A description of the time and manner of the supervising physician's review of the
134 physician assistant's delivery of health care services. Such description shall include provisions
135 that the supervising physician, or a designated supervising physician listed in the supervision
136 agreement review a minimum of ten percent of the charts of the physician assistant's delivery
137 of health care services every fourteen days.

138 8. When a physician assistant supervision agreement is utilized to provide health care
139 services for conditions other than acute self-limited or well-defined problems, the supervising

140 physician or other physician designated in the supervision agreement shall see the patient for
141 evaluation and approve or formulate the plan of treatment for new or significantly changed
142 conditions as soon as practical, but in no case more than two weeks after the patient has been
143 seen by the physician assistant.

144 9. At all times the physician is responsible for the oversight of the activities of, and
145 accepts responsibility for, health care services rendered by the physician assistant.

146 10. It is the responsibility of the supervising physician to determine and document the
147 completion of at least a one-month period of time during which the licensed physician assistant
148 shall practice with a supervising physician continuously present before practicing in a setting
149 where a supervising physician is not continuously present.

150 11. No contract or other agreement shall require a physician to act as a supervising
151 physician for a physician assistant against the physician's will. A physician shall have the right
152 to refuse to act as a supervising physician, without penalty, for a particular physician assistant.
153 No contract or other agreement shall limit the supervising physician's ultimate authority over any
154 protocols or standing orders or in the delegation of the physician's authority to any physician
155 assistant, but this requirement shall not authorize a physician in implementing such protocols,
156 standing orders, or delegation to violate applicable standards for safe medical practice
157 established by the hospital's medical staff.

158 12. Physician assistants shall file with the board a copy of their supervising physician
159 form.

160 13. No physician shall be designated to serve as supervising physician **or collaborating**
161 **physician** for more than ~~three~~ **six** full-time equivalent licensed physician assistants **or full-time**
162 **equivalent advanced practice registered nurses, or any combination thereof**. This limitation
163 shall not apply to physician assistant agreements **or collaborative practice arrangements** of
164 hospital employees providing inpatient care service in hospitals as defined in chapter 197.

334.1500. 1. The "Recognition of EMS Personnel Licensure Interstate Compact"
2 **(REPLICA) is hereby enacted into law and entered into with all other jurisdictions legally**
3 **joining therein, in the form substantially as follows in sections 334.1500 to 334.1539.**

4 **2. As used in sections 334.1500 to 334.1539, the following terms mean:**

5 **(1) "Advanced emergency medical technician" or "AEMT", an individual licensed**
6 **with cognitive knowledge and a scope of practice that corresponds to that level in the**
7 **National EMS Education Standards and National EMS Scope of Practice Model;**

8 **(2) "Adverse action", any administrative, civil, equitable, or criminal action**
9 **permitted by a state's laws that may be imposed against licensed EMS personnel by a state**
10 **EMS authority or state court including, but not limited to, actions against an individual's**
11 **license such as revocation, suspension, probation, consent agreement, monitoring or other**

12 limitation, or encumbrance on the individual's practice, letters of reprimand or
13 admonition, fines, criminal convictions, and state court judgments enforcing adverse
14 actions by the state EMS authority;

15 (3) "Alternative program", a voluntary, nondisciplinary substance abuse recovery
16 program approved by the state EMS authority;

17 (4) "Certification", the successful verification of entry-level cognitive and
18 psychomotor competency using a reliable, validated, and legally defensible examination;

19 (5) "Commission", the national administrative body of which all states that have
20 enacted the compact are members;

21 (6) "Emergency medical technician" or "EMT", an individual licensed with
22 cognitive knowledge and a scope of practice that corresponds to that level in the National
23 EMS Education Standards and National EMS Scope of Practice Model;

24 (7) "EMS", emergency medical services;

25 (8) "Home state", a member state where an individual is licensed to practice
26 emergency medical services;

27 (9) "License", the authorization by a state for an individual to practice as an EMT,
28 AEMT, paramedic, or a level in between EMT and paramedic;

29 (10) "Medical director", a physician licensed in a member state who is accountable
30 for the care delivered by EMS personnel;

31 (11) "Member state", a state that has enacted this compact;

32 (12) "Paramedic", an individual licensed with cognitive knowledge and a scope of
33 practice that corresponds to that level in the National EMS Education Standards and
34 National EMS Scope of Practice Model;

35 (13) "Privilege to practice", an individual's authority to deliver emergency medical
36 services in remote states as authorized under this compact;

37 (14) "Remote state", a member state in which an individual is not licensed;

38 (15) "Restricted", the outcome of an adverse action that limits a license or the
39 privilege to practice;

40 (16) "Rule", a written statement by the interstate commission promulgated under
41 section 334.1530 of this compact that is of general applicability; implements, interprets, or
42 prescribes a policy or provision of the compact; or is an organizational, procedural, or
43 practice requirement of the commission and has the force and effect of statutory law in a
44 member state and includes the amendment, repeal, or suspension of an existing rule;

45 (17) "Scope of practice", defined parameters of various duties or services that may
46 be provided by an individual with specific credentials. Whether regulated by rule, statute,
47 or court decision, it tends to represent the limits of services an individual may perform;

48 **(18) "Significant investigatory information":**

49 **(a) Investigative information that a state EMS authority, after a preliminary**
50 **inquiry that includes notification and an opportunity to respond if required by state law,**
51 **has reason to believe, if proven true, would result in the imposition of an adverse action on**
52 **a license or privilege to practice; or**

53 **(b) Investigative information that indicates that the individual represents an**
54 **immediate threat to public health and safety, regardless of whether the individual has been**
55 **notified and had an opportunity to respond;**

56 **(19) "State", any state, commonwealth, district, or territory of the United States;**

57 **(20) "State EMS authority", the board, office, or other agency with the legislative**
58 **mandate to license EMS personnel.**

334.1503. 1. Any member state in which an individual holds a current license shall
2 **be deemed a home state for purposes of this compact.**

3 **2. Any member state may require an individual to obtain and retain a license to be**
4 **authorized to practice in the member state under circumstances not authorized by the**
5 **privilege to practice under the terms of this compact.**

6 **3. A home state's license authorizes an individual to practice in a remote state**
7 **under the privilege to practice only if the home state:**

8 **(1) Currently requires the use of the National Registry of Emergency Medical**
9 **Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT**
10 **and paramedic levels;**

11 **(2) Has a mechanism in place for receiving and investigating complaints about**
12 **individuals;**

13 **(3) Notifies the commission, in compliance with the terms herein, of any adverse**
14 **action or significant investigatory information regarding an individual;**

15 **(4) No later than five years after activation of the compact, requires a criminal**
16 **background check of all applicants for initial licensure, including the use of the results of**
17 **fingerprint or other biometric data checks compliant with the requirements of the Federal**
18 **Bureau of Investigation, with the exception of federal employees who have suitability**
19 **determination in accordance with 5 CFR 731.202 and submit documentation of such as**
20 **promulgated in the rules of the commission; and**

21 **(5) Complies with the rules of the commission.**

334.1506. 1. Member states shall recognize the privilege to practice of an individual
2 **licensed in another member state that is in conformance with section 334.1503.**

3 **2. To exercise the privilege to practice under the terms and provisions of this**
4 **compact, an individual shall:**

5 **(1) Be at least eighteen years of age;**

6 **(2) Possess a current unrestricted license in a member state as an EMT, AEMT,**
7 **paramedic, or state-recognized and licensed level with a scope of practice and authority**
8 **between EMT and paramedic; and**

9 **(3) Practice under the supervision of a medical director.**

10 **3. An individual providing patient care in a remote state under the privilege to**
11 **practice shall function within the scope of practice authorized by the home state unless and**
12 **until modified by an appropriate authority in the remote state, as may be defined in the**
13 **rules of the commission.**

14 **4. Except as provided in subsection 3 of this section, an individual practicing in a**
15 **remote state shall be subject to the remote state's authority and laws. A remote state may,**
16 **in accordance with due process and that state's laws, restrict, suspend, or revoke an**
17 **individual's privilege to practice in the remote state and may take any other necessary**
18 **actions to protect the health and safety of its citizens. If a remote state takes action, it shall**
19 **promptly notify the home state and the commission.**

20 **5. If an individual's license in any home state is restricted, suspended, or revoked,**
21 **the individual shall not be eligible to practice in a remote state under the privilege to**
22 **practice until the individual's home state license is restored.**

23 **6. If an individual's privilege to practice in any remote state is restricted,**
24 **suspended, or revoked, the individual shall not be eligible to practice in any remote state**
25 **until the individual's privilege to practice is restored.**

334.1509. An individual may practice in a remote state under a privilege to practice
2 **only in the performance of the individual's EMS duties as assigned by an appropriate**
3 **authority, as defined in the rules of the commission, and under the following**
4 **circumstances:**

5 **(1) The individual originates a patient transport in a home state and transports the**
6 **patient to a remote state;**

7 **(2) The individual originates in the home state and enters a remote state to pick up**
8 **a patient and provides care and transport of the patient to the home state;**

9 **(3) The individual enters a remote state to provide patient care or transport within**
10 **that remote state;**

11 **(4) The individual enters a remote state to pick up a patient and provides care and**
12 **transport to a third member state; or**

13 **(5) Other conditions as determined by rules promulgated by the commission.**

334.1512. Upon a member state's governor's declaration of a state of emergency or
2 **disaster that activates the Emergency Management Assistance Compact (EMAC), all**

3 relevant terms and provisions of EMAC shall apply, and to the extent any terms or
4 provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with
5 respect to any individual practicing in the remote state in response to such declaration.

334.1515. 1. Member states shall consider a veteran, active military service
2 member, or member of the National Guard and Reserves separating from an active duty
3 tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT
4 certification at or above the level of the state license being sought as satisfying the
5 minimum training and examination requirements for such licensure.

6 2. Member states shall expedite the process of licensure applications submitted by
7 veterans, active military service members, or members of the National Guard and Reserves
8 separating from an active duty tour, or their spouses.

9 3. All individuals functioning with a privilege to practice under this section remain
10 subject to the adverse action provisions of section 334.1518.

334.1518. 1. A home state shall have exclusive power to impose adverse action
2 against an individual's license issued by the home state.

3 2. If an individual's license in any home state is restricted, suspended, or revoked,
4 the individual shall not be eligible to practice in a remote state under the privilege to
5 practice until the individual's home state license is restored.

6 (1) All home state adverse action orders shall include a statement that the
7 individual's compact privileges are inactive. The order may allow the individual to
8 practice in remote states with prior written authorization from both the home state and the
9 remote state's EMS authority.

10 (2) An individual currently subject to adverse action in the home state shall not
11 practice in any remote state without prior written authorization from both the home state
12 and remote state's EMS authority.

13 3. A member state shall report adverse actions and any occurrences that the
14 individual's compact privileges are restricted, suspended, or revoked to the commission in
15 accordance with the rules of the commission.

16 4. A remote state may take adverse action on an individual's privilege to practice
17 within that state.

18 5. Any member state may take adverse action against an individual's privilege to
19 practice in that state based on the factual findings of another member state, so long as each
20 state follows its own procedures for imposing such adverse action.

21 6. A home state's EMS authority shall coordinate investigative activities, share
22 information via the coordinated database, and take appropriate action with respect to
23 reported conduct in a remote state as it would if such conduct had occurred within the

24 home state. In such cases, the home state's law shall control in determining the
25 appropriate adverse action.

26 7. Nothing in this compact shall override a member state's decision that
27 participation in an alternative program may be used in lieu of adverse action and that such
28 participation shall remain nonpublic if required by the member state's laws. Member
29 states shall require individuals who enter any alternative programs to agree not to practice
30 in any other member state during the term of the alternative program without prior
31 authorization from such other member state.

334.1521. A member state's EMS authority, in addition to any other powers
2 granted under state law, is authorized under this compact to:

3 (1) Issue subpoenas for both hearings and investigations that require the
4 attendance and testimony of witnesses and the production of evidence. Subpoenas issued
5 by a member state's EMS authority for the attendance and testimony of witnesses or the
6 production of evidence from another member state shall be enforced in the remote state
7 by any court of competent jurisdiction according to that court's practice and procedure in
8 considering subpoenas issued in its own proceedings. The issuing state's EMS authority
9 shall pay any witness fees, travel expenses, mileage, and other fees required by the service
10 statutes of the state where the witnesses or evidence is located; and

11 (2) Issue cease and desist orders to restrict, suspend, or revoke an individual's
12 privilege to practice in the state.

334.1524. 1. The compact states hereby create and establish a joint public agency
2 known as the "Interstate Commission for EMS Personnel Practice".

3 (1) The commission is a body politic and an instrumentality of the compact states.

4 (2) Venue is proper and judicial proceedings by or against the commission shall be
5 brought solely and exclusively in a court of competent jurisdiction where the principal
6 office of the commission is located. The commission may waive venue and jurisdictional
7 defenses to the extent it adopts or consents to participate in alternative dispute resolution
8 proceedings.

9 (3) Nothing in this compact shall be construed to be a waiver of sovereign
10 immunity.

11 2. Each member state shall have and be limited to one delegate. The responsible
12 official of the state EMS authority or his or her designee shall be the delegate to this
13 compact for each member state. Any delegate may be removed or suspended from office
14 as provided by the law of the state from which the delegate is appointed. Any vacancy
15 occurring in the commission shall be filled in accordance with the laws of the member state
16 in which the vacancy exists. In the event that more than one board, office, or other agency

17 with the legislative mandate to license EMS personnel at and above the level of EMT exists,
18 the governor of the state will determine which entity will be responsible for assigning the
19 delegate.

20 (1) Each delegate shall be entitled to one vote with regard to the promulgation of
21 rules and creation of bylaws, and shall otherwise have an opportunity to participate in the
22 business and affairs of the commission. A delegate shall vote in person or by such other
23 means as provided in the bylaws. The bylaws may provide for delegates' participation in
24 meetings by telephone or other means of communication.

25 (2) The commission shall meet at least once during each calendar year. Additional
26 meetings shall be held as set forth in the bylaws.

27 (3) All meetings shall be open to the public, and public notice of meetings shall be
28 given in the same manner as required under the rulemaking provisions in section 334.1530.

29 (4) The commission may convene in a closed, nonpublic meeting if the commission
30 must discuss:

31 (a) Noncompliance of a member state with its obligations under the compact;

32 (b) The employment, compensation, discipline or other personnel matters,
33 practices, or procedures related to specific employees, or other matters related to the
34 commission's internal personnel practices and procedures;

35 (c) Current, threatened, or reasonably anticipated litigation;

36 (d) Negotiation of contracts for the purchase or sale of goods, services, or real
37 estate;

38 (e) Accusing any person of a crime or formally censuring any person;

39 (f) Disclosure of trade secrets or commercial or financial information that is
40 privileged or confidential;

41 (g) Disclosure of information of a personal nature if disclosure would constitute a
42 clearly unwarranted invasion of personal privacy;

43 (h) Disclosure of investigatory records compiled for law enforcement purposes;

44 (i) Disclosure of information related to any investigatory reports prepared by or
45 on behalf of or for use of the commission or other committee charged with responsibility
46 of investigation or determination of compliance issues pursuant to the compact; or

47 (j) Matters specifically exempted from disclosure by federal or member state
48 statute.

49 (5) If a meeting or portion of a meeting is closed under this section, the
50 commission's legal counsel or designee shall certify that the meeting may be closed and
51 shall reference each relevant exempting provision. The commission shall keep minutes that
52 fully and clearly describe all matters discussed in a meeting and shall provide a full and

53 accurate summary of actions taken and the reasons therefor, including a description of the
54 views expressed. All documents considered in connection with an action shall be identified
55 in such minutes. All minutes and documents of a closed meeting shall remain under seal,
56 subject to release by a majority vote of the commission or order of a court of competent
57 jurisdiction.

58 **3. The commission shall, by a majority vote of the delegates, prescribe bylaws and**
59 **rules to govern its conduct as may be necessary or appropriate to carry out the purposes**
60 **and exercise the powers of the compact including, but not limited to:**

61 **(1) Establishing the fiscal year of the commission;**

62 **(2) Providing reasonable standards and procedures:**

63 **(a) For the establishment and meetings of other committees; and**

64 **(b) Governing any general or specific delegation of any authority or function of the**
65 **commission;**

66 **(3) Providing reasonable procedures for calling and conducting meetings of the**
67 **commission, ensuring reasonable advance notice of all meetings, and providing an**
68 **opportunity for attendance of such meetings by interested parties, with enumerated**
69 **exceptions designed to protect the public's interest, the privacy of individuals, and**
70 **proprietary information, including trade secrets. The commission may meet in closed**
71 **session only after a majority of the membership votes to close a meeting in whole or in part.**
72 **As soon as practicable, the commission shall make public a copy of the vote to close the**
73 **meeting revealing the vote of each member with no proxy votes allowed;**

74 **(4) Establishing the titles, duties and authority, and reasonable procedures for the**
75 **election of the officers of the commission;**

76 **(5) Providing reasonable standards and procedures for the establishment of the**
77 **personnel policies and programs of the commission. Notwithstanding any civil service or**
78 **other similar laws of any member state, the bylaws shall exclusively govern the personnel**
79 **policies and programs of the commission;**

80 **(6) Promulgating a code of ethics to address permissible and prohibited activities**
81 **of commission members and employees;**

82 **(7) Providing a mechanism for winding up the operations of the commission and**
83 **the equitable disposition of any surplus funds that may exist after the termination of the**
84 **compact after the payment or reserving of all of its debts and obligations;**

85 **(8) The commission shall publish its bylaws and file a copy thereof, and a copy of**
86 **any amendment thereto, with the appropriate agency or officer in each of the member**
87 **states, if any;**

88 **(9) The commission shall maintain its financial records in accordance with the**
89 **bylaws; and**

90 **(10) The commission shall meet and take such actions as are consistent with the**
91 **provisions of this compact and the bylaws.**

92 **4. The commission shall have the following powers:**

93 **(1) To promulgate uniform rules to facilitate and coordinate implementation and**
94 **administration of this compact. The rules shall have the force and effect of law and shall**
95 **be binding on all member states;**

96 **(2) To bring and prosecute legal proceedings or actions in the name of the**
97 **commission; provided that, the standing of any state EMS authority or other regulatory**
98 **body responsible for EMS personnel licensure to sue or be sued under applicable law shall**
99 **not be affected;**

100 **(3) To purchase and maintain insurance and bonds;**

101 **(4) To borrow, accept, or contract for services of personnel including, but not**
102 **limited to, employees of a member state;**

103 **(5) To hire employees, elect or appoint officers, fix compensation, define duties,**
104 **grant such individuals appropriate authority to carry out the purposes of the compact, and**
105 **to establish the commission's personnel policies and programs relating to conflicts of**
106 **interest, qualifications of personnel, and other related personnel matters;**

107 **(6) To accept any and all appropriate donations and grants of money, equipment,**
108 **supplies, materials, and services, and to receive, utilize, and dispose of the same; provided**
109 **that, at all times the commission shall strive to avoid any appearance of impropriety and**
110 **conflict of interest;**

111 **(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to**
112 **own, hold, improve, or use any property, real, personal, or mixed; provided that, at all**
113 **times the commission shall strive to avoid any appearance of impropriety;**

114 **(8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise**
115 **dispose of any property, real, personal, or mixed;**

116 **(9) To establish a budget and make expenditures;**

117 **(10) To borrow money;**

118 **(11) To appoint committees, including advisory committees comprised of members,**
119 **state regulators, state legislators or their representatives, consumer representatives, and**
120 **such other interested persons as may be designated in this compact and the bylaws;**

121 **(12) To provide and receive information from, and to cooperate with, law**
122 **enforcement agencies;**

123 **(13) To adopt and use an official seal; and**

124 **(14) To perform such other functions as may be necessary or appropriate to achieve**
125 **the purposes of this compact consistent with the state regulation of EMS personnel**
126 **licensure and practice.**

127 **5. (1) The commission shall pay, or provide for the payment of, the reasonable**
128 **expenses of its establishment, organization, and ongoing activities.**

129 **(2) The commission may accept any and all appropriate revenue sources, donations,**
130 **and grants of money, equipment, supplies, materials, and services.**

131 **(3) The commission may levy on and collect an annual assessment from each**
132 **member state or impose fees on other parties to cover the cost of the operations and**
133 **activities of the commission and its staff, which shall be in a total amount sufficient to cover**
134 **its annual budget as approved each year for which revenue is not provided by other**
135 **sources. The aggregate annual assessment amount shall be allocated based upon a formula**
136 **to be determined by the commission, which shall promulgate a rule binding upon all**
137 **member states but Missouri shall not be assessed more than ten thousand dollars annually**
138 **calculated and shall not include an annual increase equivalent to the Consumer Price Index**
139 **for All Urban Consumers (CPI-Urban). Missouri shall not authorize an annual assessment**
140 **above this level.**

141 **(4) The commission shall not incur obligations of any kind prior to securing the**
142 **funds adequate to meet the same; nor shall the commission pledge the credit of any of the**
143 **member states, except by and with the authority of the member state.**

144 **(5) The commission shall keep accurate accounts of all receipts and disbursements.**
145 **The receipts and disbursements of the commission shall be subject to the audit and**
146 **accounting procedures established under its bylaws. However, all receipts and**
147 **disbursements of funds handled by the commission shall be audited yearly by a certified**
148 **or licensed public accountant, and the report of the audit shall be included in and become**
149 **part of the annual report of the commission.**

150 **6. (1) The members, officers, executive director, employees, and representatives of**
151 **the commission shall be immune from suit and liability, either personally or in their official**
152 **capacity, for any claim, damage to or loss of property, personal injury, or other civil**
153 **liability caused by or arising out of any actual or alleged act, error, or omission that**
154 **occurred or that the person against whom the claim is made had a reasonable basis for**
155 **believing occurred within the scope of commission employment, duties, or responsibilities;**
156 **provided that, nothing in this subdivision shall be construed to protect any such person**
157 **from suit or liability for any damage, loss, injury, or liability caused by the intentional,**
158 **willful, or wanton misconduct of that person.**

159 **(2) The commission shall defend any member, officer, executive director, employee,**
160 **or representative of the commission in any civil action seeking to impose liability arising**
161 **out of any actual or alleged act, error, or omission that occurred within the scope of**
162 **commission employment, duties, or responsibilities, or that the person against whom the**
163 **claim is made had a reasonable basis for believing occurred within the scope of commission**
164 **employment, duties, or responsibilities; provided that, nothing herein shall be construed**
165 **to prohibit that person from retaining his or her own counsel; and provided further, that**
166 **the actual or alleged act, error, or omission did not result from that person's intentional,**
167 **willful, or wanton misconduct.**

168 **(3) The commission shall indemnify and hold harmless any member, officer,**
169 **executive director, employee, or representative of the commission for the amount of any**
170 **settlement or judgment obtained against that person arising out of any actual or alleged**
171 **act, error, or omission that occurred within the scope of commission employment, duties,**
172 **or responsibilities, or that such person had a reasonable basis for believing occurred within**
173 **the scope of commission employment, duties, or responsibilities; provided that, the actual**
174 **or alleged act, error, or omission did not result from the intentional, willful, or wanton**
175 **misconduct of the person.**

334.1527. 1. The commission shall provide for the development and maintenance
2 **of a coordinated database and reporting system containing licensure, adverse action, and**
3 **significant investigatory information on all licensed individuals in member states.**

4 **2. Notwithstanding any other provision of state law to the contrary, a member state**
5 **shall submit a uniform data set to the coordinated database on all individuals to whom this**
6 **compact is applicable as required by the rules of the commission, including:**

- 7 **(1) Identifying information;**
- 8 **(2) Licensure data;**
- 9 **(3) Significant investigatory information;**
- 10 **(4) Adverse actions against an individual's license;**
- 11 **(5) An indicator that an individual's privilege to practice is restricted, suspended,**
12 **or revoked;**
- 13 **(6) Nonconfidential information related to alternative program participation;**
- 14 **(7) Any denial of application for licensure and the reasons for such denial; and**
- 15 **(8) Other information that may facilitate the administration of this compact, as**
16 **determined by the rules of the commission.**

17 **3. The coordinated database administrator shall promptly notify all member states**
18 **of any adverse action taken against, or significant investigative information on, any**
19 **individual in a member state.**

20 **4. Member states contributing information to the coordinated database may**
21 **designate information that shall not be shared with the public without the express**
22 **permission of the contributing state.**

23 **5. Any information submitted to the coordinated database that is subsequently**
24 **required to be expunged by the laws of the member state contributing the information shall**
25 **be removed from the coordinated database.**

334.1530. 1. The commission shall exercise its rulemaking powers pursuant to the
2 **criteria set forth in this section and the rules adopted thereunder. Rules and amendments**
3 **shall become binding as of the date specified in each rule or amendment.**

4 **2. If a majority of the legislatures of the member states rejects a rule by enactment**
5 **of a statute or resolution in the same manner used to adopt the compact, then such rule**
6 **shall have no further force and effect in any member state.**

7 **3. Rules or amendments to the rules shall be adopted at a regular or special meeting**
8 **of the commission.**

9 **4. Prior to promulgation and adoption of a final rule or rules by the commission,**
10 **and at least sixty days in advance of the meeting at which the rule or rules will be**
11 **considered and voted upon, the commission shall file a notice of proposed rulemaking:**

12 **(1) On the website of the commission; and**

13 **(2) On the website of each member state's EMS authority or the publication in**
14 **which each state would otherwise publish proposed rules.**

15 **5. The notice of proposed rulemaking shall include:**

16 **(1) The proposed time, date, and location of the meeting at which the rule will be**
17 **considered and voted upon;**

18 **(2) The text of the proposed rule or amendment and the reason for the proposed**
19 **rule;**

20 **(3) A request for comments on the proposed rule from any interested person; and**

21 **(4) The manner in which interested parties may submit notice to the commission**
22 **of their intention to attend the public hearing and any written comments.**

23 **6. Prior to adoption of a proposed rule, the commission shall allow persons to**
24 **submit written data, facts, opinions, and arguments that shall be made available to the**
25 **public.**

26 **7. The commission shall grant an opportunity for a public hearing before it adopts**
27 **a rule or amendment if a hearing is requested by:**

28 **(1) At least twenty-five persons;**

29 **(2) A governmental subdivision or agency; or**

30 **(3) An association having at least twenty-five members.**

31 **8. If a hearing is held on the proposed rule or amendment, the commission shall**
32 **publish the place, time, and date of the scheduled public hearing.**

33 **(1) All persons wishing to be heard at the hearing shall notify the executive director**
34 **of the commission or other designated member in writing of their desire to appear and**
35 **testify at the hearing not less than five business days before the scheduled date of the**
36 **hearing.**

37 **(2) Hearings shall be conducted in a manner providing each person who wishes to**
38 **comment a fair and reasonable opportunity to comment orally or in writing.**

39 **(3) No transcript of the hearing is required, unless a written request for a transcript**
40 **is made, in which case the person requesting the transcript shall bear the cost of producing**
41 **the transcript. A recording may be made in lieu of a transcript under the same terms and**
42 **conditions as a transcript. This subdivision shall not preclude the commission from**
43 **making a transcript or recording of the hearing if it so chooses.**

44 **(4) Nothing in this section shall be construed as requiring a separate hearing on**
45 **each rule. Rules may be grouped for the convenience of the commission at hearings**
46 **required by this section.**

47 **9. Following the scheduled hearing date, or by the close of business on the**
48 **scheduled hearing date if the hearing was not held, the commission shall consider all**
49 **written and oral comments received.**

50 **10. The commission shall, by majority vote of all members, take final action on the**
51 **proposed rule and shall determine the effective date of the rule, if any, based on the**
52 **rulemaking record and the full text of the rule.**

53 **11. If no written notice of intent to attend the public hearing by interested parties**
54 **is received, the commission may proceed with promulgation of the proposed rule without**
55 **a public hearing.**

56 **12. Upon determination that an emergency exists, the commission may consider and**
57 **adopt an emergency rule without prior notice, opportunity for comment, or hearing;**
58 **provided that, the usual rulemaking procedures provided in the compact and in this section**
59 **shall be retroactively applied to the rule as soon as reasonably possible, in no event later**
60 **than ninety days after the effective date of the rule. For the purposes of this provision, an**
61 **emergency rule is one that shall be adopted immediately in order to:**

62 **(1) Meet an imminent threat to public health, safety, or welfare;**

63 **(2) Prevent a loss of commission or member state funds;**

64 **(3) Meet a deadline for the promulgation of an administrative rule that is**
65 **established by federal law or rule; or**

66 **(4) Protect public health and safety.**

67 **13. The commission or an authorized committee of the commission may direct**
68 **revisions to a previously adopted rule or amendment for purposes of correcting**
69 **typographical errors, errors in format, errors in consistency, or grammatical errors.**
70 **Public notice of any revisions shall be posted on the website of the commission. The**
71 **revision shall be subject to challenge by any person for a period of thirty days after**
72 **posting. The revision may be challenged only on grounds that the revision results in a**
73 **material change to a rule. A challenge shall be made in writing and delivered to the chair**
74 **of the commission prior to the end of the notice period. If no challenge is made, the**
75 **revision will take effect without further action. If the revision is challenged, the revision**
76 **may not take effect without the approval of the commission.**

334.1533. 1. The executive, legislative, and judicial branches of state government
2 **in each member state shall enforce this compact and take all actions necessary and**
3 **appropriate to effectuate the compact's purposes and intent. The provisions of this**
4 **compact and the rules promulgated hereunder shall have standing as statutory law.**

5 **2. All courts shall take judicial notice of the compact and the rules in any judicial**
6 **or administrative proceedings in a member state pertaining to the subject matter of this**
7 **compact which may affect the powers, responsibilities, or actions of the commission.**

8 **3. The commission shall be entitled to receive service of process in any such**
9 **proceeding and shall have standing to intervene in such a proceeding for all purposes.**
10 **Failure to provide service of process to the commission shall render a judgment or order**
11 **void as to the commission, this compact, or promulgated rules.**

12 **4. If the commission determines that a member state has defaulted in the**
13 **performance of its obligations or responsibilities under this compact or the promulgated**
14 **rules, the commission shall:**

15 **(1) Provide written notice to the defaulting state and other member states of the**
16 **nature of the default, the proposed means of curing the default, or any other action to be**
17 **taken by the commission; and**

18 **(2) Provide remedial training and specific technical assistance regarding the**
19 **default.**

20 **5. If a state in default fails to cure the default, the defaulting state may be**
21 **terminated from the compact upon an affirmative vote of a majority of the member states,**
22 **and all rights, privileges, and benefits conferred by this compact may be terminated on the**
23 **effective date of termination. A cure of the default does not relieve the offending state of**
24 **obligations or liabilities incurred during the period of default.**

25 **6. Termination of membership in the compact shall be imposed only after all other**
26 **means of securing compliance have been exhausted. Notice of intent to suspend or**

27 terminate shall be given by the commission to the governor, the majority and minority
28 leaders of the defaulting state's legislature, and each of the member states.

29 7. A state that has been terminated is responsible for all assessments, obligations,
30 and liabilities incurred through the effective date of termination, including obligations that
31 extend beyond the effective date of termination.

32 8. The commission shall not bear any costs related to a state that is found to be in
33 default or that has been terminated from the compact unless agreed upon in writing
34 between the commission and the defaulting state.

35 9. The defaulting state may appeal the action of the commission by petitioning the
36 United States District Court for the District of Columbia or the federal district where the
37 commission has its principal offices. The prevailing member shall be awarded all costs of
38 such litigation, including reasonable attorney's fees.

39 10. Upon a request by a member state, the commission shall attempt to resolve
40 disputes related to the compact that arise among member states and between member and
41 nonmember states.

42 11. The commission shall promulgate a rule providing for both mediation and
43 binding dispute resolution for disputes as appropriate.

44 12. The commission, in the reasonable exercise of its discretion, shall enforce the
45 provisions and rules of this compact.

46 13. By majority vote, the commission may initiate legal action in the United States
47 District Court for the District of Columbia or the federal district where the commission has
48 its principal offices against a member state in default to enforce compliance with the
49 provisions of the compact and its promulgated rules and bylaws. The relief sought may
50 include both injunctive relief and damages. In the event judicial enforcement is necessary,
51 the prevailing member shall be awarded all costs of such litigation, including reasonable
52 attorney's fees.

53 14. The remedies herein shall not be the exclusive remedies of the commission. The
54 commission may pursue any other remedies available under federal or state law.

334.1536. 1. The compact shall come into effect on the date on which the compact
2 statute is enacted into law in the tenth member state. The provisions, which become
3 effective at that time, shall be limited to the powers granted to the commission relating to
4 assembly and the promulgation of rules. Thereafter, the commission shall meet and
5 exercise rulemaking powers necessary to the implementation and administration of the
6 compact.

7 2. Any state that joins the compact subsequent to the commission's initial adoption
8 of the rules shall be subject to the rules as they exist on the date on which the compact

9 becomes law in that state. Any rule that has been previously adopted by the commission
10 shall have the full force and effect of law on the day the compact becomes law in that state.

11 3. Any member state may withdraw from this compact by enacting a statute
12 repealing the same.

13 (1) A member state's withdrawal shall not take effect until six months after
14 enactment of the repealing statute.

15 (2) Withdrawal shall not affect the continuing requirement of the withdrawing
16 state's EMS authority to comply with the investigative and adverse action reporting
17 requirements of this act prior to the effective date of withdrawal.

18 4. Nothing contained in this compact shall be construed to invalidate or prevent any
19 EMS personnel licensure agreement or other cooperative arrangement between a member
20 state and a nonmember state that does not conflict with the provisions of this compact.

21 5. This compact may be amended by the member states. No amendment to this
22 compact shall become effective and binding upon any member state until it is enacted into
23 the laws of all member states.

334.1539. 1. This compact shall be liberally construed so as to effectuate the
2 purposes thereof. If this compact shall be held contrary to the constitution of any member
3 state thereto, the compact shall remain in full force and effect as to the remaining member
4 states. Nothing in this compact supersedes state law or rules related to licensure of EMS
5 agencies.

6 2. The State Emergency Medical Services Advisory Council (SAC) shall review
7 decisions of the interstate commission for emergency medical services personnel practice
8 established under this compact and, upon approval by the commission of any action that
9 will have the result of increasing the cost to the state of membership in the compact, SAC
10 may recommend to the Missouri general assembly that they withdraw from the compact.

337.020. 1. Each person desiring to obtain a license, whether temporary, provisional or
2 permanent, as a psychologist shall make application to the committee upon such forms and in
3 such manner as may be prescribed by the committee and shall pay the required application fee.
4 The form shall include a statement that the applicant has completed two hours of suicide
5 assessment, referral, treatment, and management training that meets the guidelines
6 developed by the committee. The application fee shall not be refundable. Each application
7 shall contain a statement that it is made under oath or affirmation and that its representations are
8 true and correct to the best knowledge and belief of the person signing the application, subject
9 to the penalties of making a false affidavit or declaration.

10 2. Each applicant, whether for temporary, provisional or permanent licensure, shall
11 submit evidence satisfactory to the committee that the applicant is at least twenty-one years of

12 age, is of good moral character, and meets the appropriate educational requirements as set forth
13 in either section 337.021 or 337.025, or is qualified for licensure without examination pursuant
14 to section 337.029. In determining the acceptability of the applicant's qualifications, the
15 committee may require evidence that it deems reasonable and proper, in accordance with law,
16 and the applicant shall furnish the evidence in the manner required by the committee.

17 3. The committee with assistance from the division shall issue a permanent license to
18 and register as a psychologist any applicant who, in addition to having fulfilled the other
19 requirements of sections 337.010 to 337.090, passes the examination for professional practice
20 in psychology and such other examinations in psychology which may be adopted by the
21 committee, except that an applicant fulfilling the requirement of section 337.029 shall upon
22 successful completion of the jurisprudence examination and completion of the oral examination
23 be permanently licensed without having to retake the examination for professional practice in
24 psychology.

25 4. The committee, with assistance from the division, shall issue a provisional license to,
26 and register as being a provisionally licensed psychologist, any applicant who is a graduate of
27 a recognized educational institution with a doctoral degree in psychology as defined in section
28 337.025, and who otherwise meets all requirements to become a licensed psychologist, except
29 for passage of the national and state licensing exams, oral examination and completion of the
30 required period of postdegree supervised experience as specified in subsection 2 of section
31 337.025.

32 5. A provisional license issued pursuant to subsection 4 of this section shall only
33 authorize and permit the applicant to render those psychological services which are under the
34 supervision and the full professional responsibility and control of such person's postdoctoral
35 degree licensed supervisor. A provisional license shall automatically terminate upon issuance
36 of a permanent license, upon a finding of cause to discipline after notice and hearing pursuant
37 to section 337.035, upon the expiration of one year from the date of issuance whichever event
38 first occurs, or upon termination of supervision by the licensed supervisor. The provisional
39 license may be renewed after one year with a maximum issuance of two years total per
40 provisional licensee. The committee by rule shall provide procedures for exceptions and
41 variances from the requirement of a maximum issuance of two years due to vacations, illness,
42 pregnancy and other good causes.

43 6. The committee, with assistance from the division, shall immediately issue a temporary
44 license to any applicant for licensure either by reciprocity pursuant to section 337.029, or by
45 endorsement of the score from the examination for professional practice in psychology upon
46 receipt of an application for such licensure and upon proof that the applicant is either licensed

47 as a psychologist in another jurisdiction, is a diplomate of the American Board of Professional
48 Psychology, or is a member of the National Register of Health Services Providers in Psychology.

49 7. A temporary license issued pursuant to subsection 6 of this section shall authorize the
50 applicant to practice psychology in this state, the same as if a permanent license had been issued.
51 Such temporary license shall be issued without payment of an additional fee and shall remain in
52 full force and effect until the earlier of the following events:

53 (1) A permanent license has been issued to the applicant following successful completion
54 of the jurisprudence examination and the oral interview examination;

55 (2) In cases where the committee has found the applicant ineligible for licensure and no
56 appeal has been taken to the administrative hearing commission, then at the expiration of such
57 appeal time; or

58 (3) In cases where the committee has found the applicant ineligible for licensure and the
59 applicant has taken an appeal to the administrative hearing commission and the administrative
60 hearing commission has also found the applicant ineligible, then upon the rendition by the
61 administrative hearing commission of its findings of fact and conclusions of law to such effect.

62 8. Written and oral examinations pursuant to sections 337.010 to 337.090 shall be
63 administered by the committee at least twice each year to any applicant who meets the
64 educational requirements set forth in either section 337.021 or 337.025 or to any applicant who
65 is seeking licensure either by reciprocity pursuant to section 337.029, or by endorsement of the
66 score from the examination of professional practice in psychology. The committee shall examine
67 in the areas of professional knowledge, techniques and applications, research and its
68 interpretation, professional affairs, ethics, and Missouri law and regulations governing the
69 practice of psychology. The committee may use, in whole or in part, the examination for
70 professional practice in psychology national examination in psychology or such other national
71 examination in psychology which may be available.

72 9. If an applicant fails any examination, the applicant shall be permitted to take a
73 subsequent examination, upon the payment of an additional reexamination fee. This
74 reexamination fee shall not be refundable.

337.025. 1. The provisions of this section shall govern the education and experience
2 requirements for initial licensure as a psychologist for the following persons:

3 (1) A person who has not matriculated in a graduate degree program which is primarily
4 psychological in nature on or before August 28, 1990; and

5 (2) A person who is matriculated after August 28, 1990, in a graduate degree program
6 designed to train professional psychologists.

7 2. Each applicant shall submit satisfactory evidence to the committee that the applicant
8 has received a doctoral degree in psychology from a recognized educational institution, and has
9 had at least one year of satisfactory supervised professional experience in the field of psychology.

10 3. A doctoral degree in psychology is defined as:

11 (1) A program accredited, or provisionally accredited, by the American Psychological
12 Association [ø] (APA), the Canadian Psychological Association, **or the Psychological Clinical
13 Science Accreditation System (PCSAS) provided that such program include a supervised
14 practicum, internship, field, or laboratory training appropriate to the practice of
15 psychology;** or

16 (2) A program designated or approved, including provisional approval, by the
17 Association of State and Provincial Psychology Boards or the Council for the National Register
18 of Health Service Providers in Psychology, or both; or

19 (3) A graduate program that meets all of the following criteria:

20 (a) The program, wherever it may be administratively housed, shall be clearly identified
21 and labeled as a psychology program. Such a program shall specify in pertinent institutional
22 catalogues and brochures its intent to educate and train professional psychologists;

23 (b) The psychology program shall stand as a recognizable, coherent organizational entity
24 within the institution of higher education;

25 (c) There shall be a clear authority and primary responsibility for the core and specialty
26 areas whether or not the program cuts across administrative lines;

27 (d) The program shall be an integrated, organized, sequence of study;

28 (e) There shall be an identifiable psychology faculty and a psychologist responsible for
29 the program;

30 (f) The program shall have an identifiable body of students who are matriculated in that
31 program for a degree;

32 (g) The program shall include a supervised practicum, internship, field, or laboratory
33 training appropriate to the practice of psychology;

34 (h) The curriculum shall encompass a minimum of three academic years of full-time
35 graduate study, with a minimum of one year's residency at the educational institution granting
36 the doctoral degree; and

37 (i) Require the completion by the applicant of a core program in psychology which shall
38 be met by the completion and award of at least one three-semester-hour graduate credit course
39 or a combination of graduate credit courses totaling three semester hours or five quarter hours
40 in each of the following areas:

41 a. The biological bases of behavior such as courses in: physiological psychology,
42 comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

43 b. The cognitive-affective bases of behavior such as courses in: learning, thinking,
44 motivation, emotion, and cognitive psychology;

45 c. The social bases of behavior such as courses in: social psychology, group
46 processes/dynamics, interpersonal relationships, and organizational and systems theory;

47 d. Individual differences such as courses in: personality theory, human development,
48 abnormal psychology, developmental psychology, child psychology, adolescent psychology,
49 psychology of aging, and theories of personality;

50 e. The scientific methods and procedures of understanding, predicting and influencing
51 human behavior such as courses in: statistics, experimental design, psychometrics, individual
52 testing, group testing, and research design and methodology.

53 4. Acceptable supervised professional experience may be accrued through preinternship,
54 internship, predoctoral postinternship, or postdoctoral experiences. The academic training
55 director or the postdoctoral training supervisor shall attest to the hours accrued to meet the
56 requirements of this section. Such hours shall consist of:

57 (1) A minimum of fifteen hundred hours of experience in a successfully completed
58 internship to be completed in not less than twelve nor more than twenty-four months; and

59 (2) A minimum of two thousand hours of experience consisting of any combination of
60 the following:

61 (a) Preinternship and predoctoral postinternship professional experience that occurs
62 following the completion of the first year of the doctoral program or at any time while in a
63 doctoral program after completion of a master's degree in psychology or equivalent as defined
64 by rule by the committee;

65 (b) Up to seven hundred fifty hours obtained while on the internship under subdivision
66 (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this
67 subsection; or

68 (c) Postdoctoral professional experience obtained in no more than twenty-four
69 consecutive calendar months. In no case shall this experience be accumulated at a rate of more
70 than fifty hours per week. Postdoctoral supervised professional experience for prospective health
71 service providers and other applicants shall involve and relate to the delivery of psychological
72 services in accordance with professional requirements and relevant to the applicant's intended
73 area of practice.

74 5. Experience for those applicants who intend to seek health service provider
75 certification and who have completed a program in one or more of the American Psychological
76 Association designated health service provider delivery areas shall be obtained under the primary
77 supervision of a licensed psychologist who is also a health service provider or who otherwise
78 meets the requirements for health service provider certification. Experience for those applicants

79 who do not intend to seek health service provider certification shall be obtained under the
80 primary supervision of a licensed psychologist or such other qualified mental health professional
81 approved by the committee.

82 6. For postinternship and postdoctoral hours, the psychological activities of the applicant
83 shall be performed pursuant to the primary supervisor's order, control, and full professional
84 responsibility. The primary supervisor shall maintain a continuing relationship with the
85 applicant and shall meet with the applicant a minimum of one hour per month in face-to-face
86 individual supervision. Clinical supervision may be delegated by the primary supervisor to one
87 or more secondary supervisors who are qualified psychologists. The secondary supervisors shall
88 retain order, control, and full professional responsibility for the applicant's clinical work under
89 their supervision and shall meet with the applicant a minimum of one hour per week in
90 face-to-face individual supervision. If the primary supervisor is also the clinical supervisor,
91 meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable
92 for supervised professional experience. The primary supervisor shall certify to the committee
93 that the applicant has complied with these requirements and that the applicant has demonstrated
94 ethical and competent practice of psychology. The changing by an agency of the primary
95 supervisor during the course of the supervised experience shall not invalidate the supervised
96 experience.

97 7. The committee by rule shall provide procedures for exceptions and variances from the
98 requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and
99 other good causes.

337.029. 1. A psychologist licensed in another jurisdiction who has had no violations
2 and no suspensions and no revocation of a license to practice psychology in any jurisdiction may
3 receive a license in Missouri, provided the psychologist passes a written examination on
4 Missouri laws and regulations governing the practice of psychology and meets one of the
5 following criteria:

- 6 (1) Is a diplomate of the American Board of Professional Psychology;
- 7 (2) Is a member of the National Register of Health Service Providers in Psychology;
- 8 (3) Is currently licensed or certified as a psychologist in another jurisdiction who is then
9 a signatory to the Association of State and Provincial Psychology Board's reciprocity agreement;
- 10 (4) Is currently licensed or certified as a psychologist in another state, territory of the
11 United States, or the District of Columbia and:
 - 12 (a) Has a doctoral degree in psychology from a program accredited, or provisionally
13 accredited, by the American Psychological Association **or the Psychological Clinical Science**
14 **Accreditation System**, or that meets the requirements as set forth in subdivision (3) of
15 subsection 3 of section 337.025;

- 16 (b) Has been licensed for the preceding five years; and
17 (c) Has had no disciplinary action taken against the license for the preceding five years;
18 or

19 (5) Holds a current certificate of professional qualification (CPQ) issued by the
20 Association of State and Provincial Psychology Boards (ASPPB).

21 2. Notwithstanding the provisions of subsection 1 of this section, applicants may be
22 required to pass an oral examination as adopted by the committee.

23 3. A psychologist who receives a license for the practice of psychology in the state of
24 Missouri on the basis of reciprocity as listed in subsection 1 of this section or by endorsement
25 of the score from the examination of professional practice in psychology score will also be
26 eligible for and shall receive certification from the committee as a health service provider if the
27 psychologist meets one or more of the following criteria:

28 (1) Is a diplomate of the American Board of Professional Psychology in one or more of
29 the specialties recognized by the American Board of Professional Psychology as pertaining to
30 health service delivery;

31 (2) Is a member of the National Register of Health Service Providers in Psychology; or

32 (3) Has completed or obtained through education, training, or experience the requisite
33 knowledge comparable to that which is required pursuant to section 337.033.

337.033. 1. A licensed psychologist shall limit his or her practice to demonstrated areas
2 of competence as documented by relevant professional education, training, and experience. A
3 psychologist trained in one area shall not practice in another area without obtaining additional
4 relevant professional education, training, and experience through an acceptable program of
5 respecialization.

6 2. A psychologist may not represent or hold himself or herself out as a state certified or
7 registered psychological health service provider unless the psychologist has first received the
8 psychologist health service provider certification from the committee; provided, however,
9 nothing in this section shall be construed to limit or prevent a licensed, whether temporary,
10 provisional or permanent, psychologist who does not hold a health service provider certificate
11 from providing psychological services so long as such services are consistent with subsection
12 1 of this section.

13 3. "Relevant professional education and training" for health service provider
14 certification, except those entitled to certification pursuant to subsection 5 or 6 of this section,
15 shall be defined as a licensed psychologist whose graduate psychology degree from a recognized
16 educational institution is in an area designated by the American Psychological Association as
17 pertaining to health service delivery or a psychologist who subsequent to receipt of his or her
18 graduate degree in psychology has either completed a respecialization program from a

19 recognized educational institution in one or more of the American Psychological Association
20 recognized clinical health service provider areas and who in addition has completed at least one
21 year of postdegree supervised experience in such clinical area or a psychologist who has obtained
22 comparable education and training acceptable to the committee through completion of
23 postdoctoral fellowships or otherwise.

24 4. The degree or respecialization program certificate shall be obtained from a recognized
25 program of graduate study in one or more of the health service delivery areas designated by the
26 American Psychological Association as pertaining to health service delivery, which shall meet
27 one of the criteria established by subdivisions (1) to (3) of this subsection:

28 (1) A doctoral degree or completion of a recognized respecialization program in one or
29 more of the American Psychological Association designated health service provider delivery
30 areas which is accredited, or provisionally accredited, **either** by the American Psychological
31 Association **or the Psychological Clinical Science Accreditation System**; or

32 (2) A clinical or counseling psychology doctoral degree program or respecialization
33 program designated, or provisionally approved, by the Association of State and Provincial
34 Psychology Boards or the Council for the National Register of Health Service Providers in
35 Psychology, or both; or

36 (3) A doctoral degree or completion of a respecialization program in one or more of the
37 American Psychological Association designated health service provider delivery areas that meets
38 the following criteria:

39 (a) The program, wherever it may be administratively housed, shall be clearly identified
40 and labeled as being in one or more of the American Psychological Association designated health
41 service provider delivery areas;

42 (b) Such a program shall specify in pertinent institutional catalogues and brochures its
43 intent to educate and train professional psychologists in one or more of the American
44 Psychological Association designated health service provider delivery areas.

45 5. A person who is lawfully licensed as a psychologist pursuant to the provisions of this
46 chapter on August 28, 1989, or who has been approved to sit for examination prior to August 28,
47 1989, and who subsequently passes the examination shall be deemed to have met all
48 requirements for health service provider certification; provided, however, that such person shall
49 be governed by the provisions of subsection 1 of this section with respect to limitation of
50 practice.

51 6. Any person who is lawfully licensed as a psychologist in this state and who meets one
52 or more of the following criteria shall automatically, upon payment of the requisite fee, be
53 entitled to receive a health service provider certification from the committee:

54 (1) Is a diplomate of the American Board of Professional Psychology in one or more of
55 the specialties recognized by the American Board of Professional Psychology as pertaining to
56 health service delivery; or

57 (2) Is a member of the National Register of Health Service Providers in Psychology.

**337.100. 1. Sections 337.100 to 337.165 shall be known as the "Psychology
2 Interjurisdictional Compact". The party states find that:**

3 (1) States license psychologists, in order to protect the public through verification
4 of education, training and experience and ensure accountability for professional practice;

5 (2) This compact is intended to regulate the day to day practice of telepsychology,
6 the provision of psychological services using telecommunication technologies, by
7 psychologists across state boundaries in the performance of their psychological practice
8 as assigned by an appropriate authority;

9 (3) This compact is intended to regulate the temporary in-person, face-to-face
10 practice of psychology by psychologists across state boundaries for thirty days within a
11 calendar year in the performance of their psychological practice as assigned by an
12 appropriate authority;

13 (4) This compact is intended to authorize state psychology regulatory authorities
14 to afford legal recognition, in a manner consistent with the terms of the compact, to
15 psychologists licensed in another state;

16 (5) This compact recognizes that states have a vested interest in protecting the
17 public's health and safety through their licensing and regulation of psychologists and that
18 such state regulation will best protect public health and safety;

19 (6) This compact does not apply when a psychologist is licensed in both the home
20 and receiving states; and

21 (7) This compact does not apply to permanent in-person, face-to-face practice, it
22 does allow for authorization of temporary psychological practice.

23 **2. The general purposes of this compact are to:**

24 (1) Increase public access to professional psychological services by allowing for
25 telepsychological practice across state lines as well as temporary in-person, face-to-face
26 services into a state which the psychologist is not licensed to practice psychology;

27 (2) Enhance the states' ability to protect the public's health and safety, especially
28 client/patient safety;

29 (3) Encourage the cooperation of compact states in the areas of psychology
30 licensure and regulation;

31 (4) Facilitate the exchange of information between compact states regarding
32 psychologist licensure, adverse actions and disciplinary history;

33 (5) Promote compliance with the laws governing psychological practice in each
34 compact state; and

35 (6) Invest all compact states with the authority to hold licensed psychologists
36 accountable through the mutual recognition of compact state licenses.

337.105. As used in this compact, the following terms shall mean:

2 (1) "Adverse action", any action taken by a state psychology regulatory authority
3 which finds a violation of a statute or regulation that is identified by the state psychology
4 regulatory authority as discipline and is a matter of public record;

5 (2) "Association of State and Provincial Psychology Boards (ASPPB)", the
6 recognized membership organization composed of state and provincial psychology
7 regulatory authorities responsible for the licensure and registration of psychologists
8 throughout the United States and Canada;

9 (3) "Authority to practice interjurisdictional telepsychology", a licensed
10 psychologist's authority to practice telepsychology, within the limits authorized under this
11 compact, in another compact state;

12 (4) "Bylaws", those bylaws established by the psychology interjurisdictional
13 compact commission pursuant to section 337.145 for its governance, or for directing and
14 controlling its actions and conduct;

15 (5) "Client/patient", the recipient of psychological services, whether psychological
16 services are delivered in the context of healthcare, corporate, supervision, or consulting
17 services;

18 (6) "Commissioner", the voting representative appointed by each state psychology
19 regulatory authority pursuant to section 337.145;

20 (7) "Compact state", a state, the District of Columbia, or United States territory
21 that has enacted this compact legislation and which has not withdrawn pursuant to
22 subsection 3 of section 337.160 or been terminated pursuant to subsection 2 of section
23 337.155;

24 (8) "Coordinated licensure information system" also referred to as "coordinated
25 database", an integrated process for collecting, storing, and sharing information on
26 psychologists' licensure and enforcement activities related to psychology licensure laws,
27 which is administered by the recognized membership organization composed of state and
28 provincial psychology regulatory authorities;

29 (9) "Confidentiality", the principle that data or information is not made available
30 or disclosed to unauthorized persons or processes;

31 (10) "Day", any part of a day in which psychological work is performed;

32 (11) **"Distant state"**, the compact state where a psychologist is physically present,
33 **not through the use of telecommunications technologies, to provide temporary in-person,**
34 **face-to-face psychological services;**

35 (12) **"E.Passport"**, a certificate issued by the Association of State and Provincial
36 **Psychology Boards (ASPPB) that promotes the standardization in the criteria of**
37 **interjurisdictional telepsychology practice and facilitates the process for licensed**
38 **psychologists to provide telepsychological services across state lines;**

39 (13) **"Executive board"**, a group of directors elected or appointed to act on behalf
40 **of, and within the powers granted to them by, the commission;**

41 (14) **"Home state"**, a compact state where a psychologist is licensed to practice
42 **psychology. If the psychologist is licensed in more than one compact state and is practicing**
43 **under the authorization to practice interjurisdictional telepsychology, the home state is the**
44 **compact state where the psychologist is physically present when the telepsychological**
45 **services are delivered. If the psychologist is licensed in more than one compact state and**
46 **is practicing under the temporary authorization to practice, the home state is any compact**
47 **state where the psychologist is licensed;**

48 (15) **"Identity history summary"**, a summary of information retained by the
49 **Federal Bureau of Investigation, or other designee with similar authority, in connection**
50 **with arrests and, in some instances, federal employment, naturalization, or military**
51 **service;**

52 (16) **"In-person, face-to-face"**, interactions in which the psychologist and the
53 **client/patient are in the same physical space and which does not include interactions that**
54 **may occur through the use of telecommunication technologies;**

55 (17) **"Interjurisdictional practice certificate (IPC)"**, a certificate issued by the
56 **Association of State and Provincial Psychology Boards (ASPPB) that grants temporary**
57 **authority to practice based on notification to the state psychology regulatory authority of**
58 **intention to practice temporarily, and verification of one's qualifications for such practice;**

59 (18) **"License"**, authorization by a state psychology regulatory authority to engage
60 **in the independent practice of psychology, which would be unlawful without the**
61 **authorization;**

62 (19) **"Noncompact state"**, any state which is not at the time a compact state;

63 (20) **"Psychologist"**, an individual licensed for the independent practice of
64 **psychology;**

65 (21) **"Psychology interjurisdictional compact commission"** also referred to as
66 **"commission"**, the national administration of which all compact states are members;

67 (22) "Receiving state", a compact state where the client/patient is physically located
68 when the telepsychological services are delivered;

69 (23) "Rule", a written statement by the psychology interjurisdictional compact
70 commission promulgated pursuant to section 337.150 of the compact that is of general
71 applicability, implements, interprets, or prescribes a policy or provision of the compact,
72 or an organizational, procedural, or practice requirement of the commission and has the
73 force and effect of statutory law in a compact state, and includes the amendment, repeal
74 or suspension of an existing rule;

75 (24) "Significant investigatory information":

76 (a) Investigative information that a state psychology regulatory authority, after a
77 preliminary inquiry that includes notification and an opportunity to respond if required
78 by state law, has reason to believe, if proven true, would indicate more than a violation of
79 state statute or ethics code that would be considered more substantial than minor
80 infraction; or

81 (b) Investigative information that indicates that the psychologist represents an
82 immediate threat to public health and safety regardless of whether the psychologist has
83 been notified and had an opportunity to respond;

84 (25) "State", a state, commonwealth, territory, or possession of the United States,
85 the District of Columbia;

86 (26) "State psychology regulatory authority", the board, office or other agency with
87 the legislative mandate to license and regulate the practice of psychology;

88 (27) "Telepsychology", the provision of psychological services using
89 telecommunication technologies;

90 (28) "Temporary authorization to practice", a licensed psychologist's authority to
91 conduct temporary in-person, face-to-face practice, within the limits authorized under this
92 compact, in another compact state;

93 (29) "Temporary in-person, face-to-face practice", where a psychologist is
94 physically present, not through the use of telecommunications technologies, in the distant
95 state to provide for the practice of psychology for thirty days within a calendar year and
96 based on notification to the distant state.

337.110. 1. The home state shall be a compact state where a psychologist is licensed
2 to practice psychology.

3 2. A psychologist may hold one or more compact state licenses at a time. If the
4 psychologist is licensed in more than one compact state, the home state is the compact state
5 where the psychologist is physically present when the services are delivered as authorized

6 by the authority to practice interjurisdictional telepsychology under the terms of this
7 compact.

8 **3. Any compact state may require a psychologist not previously licensed in a**
9 **compact state to obtain and retain a license to be authorized to practice in the compact**
10 **state under circumstances not authorized by the authority to practice interjurisdictional**
11 **telepsychology under the terms of this compact.**

12 **4. Any compact state may require a psychologist to obtain and retain a license to**
13 **be authorized to practice in a compact state under circumstances not authorized by**
14 **temporary authorization to practice under the terms of this compact.**

15 **5. A home state's license authorizes a psychologist to practice in a receiving state**
16 **under the authority to practice interjurisdictional telepsychology only if the compact state:**

17 **(1) Currently requires the psychologist to hold an active E.Passport;**

18 **(2) Has a mechanism in place for receiving and investigating complaints about**
19 **licensed individuals;**

20 **(3) Notifies the commission, in compliance with the terms herein, of any adverse**
21 **action or significant investigatory information regarding a licensed individual;**

22 **(4) Requires an identity history summary of all applicants at initial licensure,**
23 **including the use of the results of fingerprints or other biometric data checks compliant**
24 **with the requirements of the Federal Bureau of Investigation, or other designee with**
25 **similar authority, no later than ten years after activation of the compact; and**

26 **(5) Complies with the bylaws and rules of the commission.**

27 **6. A home state's license grants temporary authorization to practice to a**
28 **psychologist in a distant state only if the compact state:**

29 **(1) Currently requires the psychologist to hold an active IPC;**

30 **(2) Has a mechanism in place for receiving and investigating complaints about**
31 **licensed individuals;**

32 **(3) Notifies the commission, in compliance with the terms herein, of any adverse**
33 **action or significant investigatory information regarding a licensed individual;**

34 **(4) Requires an identity history summary of all applicants at initial licensure,**
35 **including the use of the results of fingerprints or other biometric data checks compliant**
36 **with the requirements of the Federal Bureau of Investigation, or other designee with**
37 **similar authority, no later than ten years after activation of the compact; and**

38 **(5) Complies with the bylaws and rules of the commission.**

2 **337.115. 1. Compact states shall recognize the right of a psychologist, licensed in**
a **compact state in conformance with section 337.110, to practice telepsychology in**

3 receiving states in which the psychologist is not licensed, under the authority to practice
4 interjurisdictional telepsychology as provided in the compact.

5 **2. To exercise the authority to practice interjurisdictional telepsychology under the**
6 **terms and provisions of this compact, a psychologist licensed to practice in a compact state**
7 **shall:**

8 **(1) Hold a graduate degree in psychology from an institute of higher education that**
9 **was, at the time the degree was awarded:**

10 **(a) Regionally accredited by an accrediting body recognized by the United States**
11 **Department of Education to grant graduate degrees, or authorized by provincial statute**
12 **or royal charter to grant doctoral degrees; or**

13 **(b) A foreign college or university deemed to be equivalent to the requirements of**
14 **paragraph (a) of this subdivision by a foreign credential evaluation service that is a**
15 **member of the National Association of Credential Evaluation Services (NACES) or by a**
16 **recognized foreign credential evaluation service;**

17 **(2) Hold a graduate degree in psychology that meets the following criteria:**

18 **(a) The program, wherever it may be administratively housed, shall be clearly**
19 **identified and labeled as a psychology program. Such a program shall specify in pertinent**
20 **institutional catalogues and brochures its intent to educate and train professional**
21 **psychologists;**

22 **(b) The psychology program shall stand as a recognizable, coherent, organizational**
23 **entity within the institution;**

24 **(c) There shall be a clear authority and primary responsibility for the core and**
25 **specialty areas whether or not the program cuts across administrative lines;**

26 **(d) The program shall consist of an integrated, organized sequence of study;**

27 **(e) There shall be an identifiable psychology faculty sufficient in size and breadth**
28 **to carry out its responsibilities;**

29 **(f) The designated director of the program shall be a psychologist and a member**
30 **of the core faculty;**

31 **(g) The program shall have an identifiable body of students who are matriculated**
32 **in that program for a degree;**

33 **(h) The program shall include supervised practicum, internship, or field training**
34 **appropriate to the practice of psychology;**

35 **(i) The curriculum shall encompass a minimum of three academic years of full-time**
36 **graduate study for doctoral degree and a minimum of one academic year of full-time**
37 **graduate study for master's degree;**

38 (j) The program includes an acceptable residency as defined by the rules of the
39 commission;

40 (3) Possess a current, full and unrestricted license to practice psychology in a home
41 state which is a compact state;

42 (4) Have no history of adverse action that violate the rules of the commission;

43 (5) Have no criminal record history reported on an identity history summary that
44 violates the rules of the commission;

45 (6) Possess a current, active E.Passport;

46 (7) Provide attestations in regard to areas of intended practice, conformity with
47 standards of practice, competence in telepsychology technology; criminal background; and
48 knowledge and adherence to legal requirements in the home and receiving states, and
49 provide a release of information to allow for primary source verification in a manner
50 specified by the commission; and

51 (8) Meet other criteria as defined by the rules of the commission.

52 3. The home state maintains authority over the license of any psychologist
53 practicing into a receiving state under the authority to practice interjurisdictional
54 telepsychology.

55 4. A psychologist practicing into a receiving state under the authority to practice
56 interjurisdictional telepsychology will be subject to the receiving state's scope of practice.
57 A receiving state may, in accordance with that state's due process law, limit or revoke a
58 psychologist's authority to practice interjurisdictional telepsychology in the receiving state
59 and may take any other necessary actions under the receiving state's applicable law to
60 protect the health and safety of the receiving state's citizens. If a receiving state takes
61 action, the state shall promptly notify the home state and the commission.

62 5. If a psychologist's license in any home state, another compact state, or any
63 authority to practice interjurisdictional telepsychology in any receiving state, is restricted,
64 suspended or otherwise limited, the E.Passport shall be revoked and therefore the
65 psychologist shall not be eligible to practice telepsychology in a compact state under the
66 authority to practice interjurisdictional telepsychology.

 337.120. 1. Compact states shall also recognize the right of a psychologist, licensed
2 in a compact state in conformance with section 337.110, to practice temporarily in distant
3 states in which the psychologist is not licensed, as provided in the compact.

4 2. To exercise the temporary authorization to practice under the terms and
5 provisions of this compact, a psychologist licensed to practice in a compact state shall:

6 (1) Hold a graduate degree in psychology from an institute of higher education that
7 was, at the time the degree was awarded:

- 8 **(a) Regionally accredited by an accrediting body recognized by the United States**
9 **Department of Education to grant graduate degrees, or authorized by provincial statute**
10 **or royal charter to grant doctoral degrees; or**
- 11 **(b) A foreign college or university deemed to be equivalent to the requirements of**
12 **paragraph (a) of this subdivision by a foreign credential evaluation service that is a**
13 **member of the National Association of Credential Evaluation Services (NACES) or by a**
14 **recognized foreign credential evaluation service;**
- 15 **(2) Hold a graduate degree in psychology that meets the following criteria:**
- 16 **(a) The program, wherever it may be administratively housed, shall be clearly**
17 **identified and labeled as a psychology program. Such a program shall specify in pertinent**
18 **institutional catalogues and brochures its intent to educate and train professional**
19 **psychologists;**
- 20 **(b) The psychology program shall stand as a recognizable, coherent, organizational**
21 **entity within the institution;**
- 22 **(c) There shall be a clear authority and primary responsibility for the core and**
23 **specialty areas whether or not the program cuts across administrative lines;**
- 24 **(d) The program shall consist of an integrated, organized sequence of study;**
- 25 **(e) There shall be an identifiable psychology faculty sufficient in size and breadth**
26 **to carry out its responsibilities;**
- 27 **(f) The designated director of the program shall be a psychologist and a member**
28 **of the core faculty;**
- 29 **(g) The program shall have an identifiable body of students who are matriculated**
30 **in that program for a degree;**
- 31 **(h) The program shall include supervised practicum, internship, or field training**
32 **appropriate to the practice of psychology;**
- 33 **(i) The curriculum shall encompass a minimum of three academic years of full-time**
34 **graduate study for doctoral degrees and a minimum of one academic year of full-time**
35 **graduate study for master's degree;**
- 36 **(j) The program includes an acceptable residency as defined by the rules of the**
37 **commission;**
- 38 **(3) Possess a current, full and unrestricted license to practice psychology in a home**
39 **state which is a compact state;**
- 40 **(4) No history of adverse action that violate the rules of the commission;**
41 **(5) No criminal record history that violates the rules of the commission;**
42 **(6) Possess a current, active IPC;**

43 **(7) Provide attestations in regard to areas of intended practice and work experience**
44 **and provide a release of information to allow for primary source verification in a manner**
45 **specified by the commission; and**

46 **(8) Meet other criteria as defined by the rules of the commission.**

47 **3. A psychologist practicing into a distant state under the temporary authorization**
48 **to practice shall practice within the scope of practice authorized by the distant state.**

49 **4. A psychologist practicing into a distant state under the temporary authorization**
50 **to practice will be subject to the distant state's authority and law. A distant state may, in**
51 **accordance with that state's due process law, limit or revoke a psychologist's temporary**
52 **authorization to practice in the distant state and may take any other necessary actions**
53 **under the distant state's applicable law to protect the health and safety of the distant state's**
54 **citizens. If a distant state takes action, the state shall promptly notify the home state and**
55 **the commission.**

56 **5. If a psychologist's license in any home state, another compact state, or any**
57 **temporary authorization to practice in any distant state, is restricted, suspended or**
58 **otherwise limited, the IPC shall be revoked and therefore the psychologist shall not be**
59 **eligible to practice in a compact state under the temporary authorization to practice.**

337.125. A psychologist may practice in a receiving state under the authority to
2 **practice interjurisdictional telepsychology only in the performance of the scope of practice**
3 **for psychology as assigned by an appropriate state psychology regulatory authority, as**
4 **defined in the rules of the commission, and under the following circumstances:**

5 **(1) The psychologist initiates a client/patient contact in a home state via**
6 **telecommunications technologies with a client/patient in a receiving state;**

7 **(2) Other conditions regarding telepsychology as determined by rules promulgated**
8 **by the commission.**

337.130. 1. A home state shall have the power to impose adverse action against a
2 **psychologist's license issued by the home state. A distant state shall have the power to take**
3 **adverse action on a psychologist's temporary authorization to practice within that distant**
4 **state.**

5 **2. A receiving state may take adverse action on a psychologist's authority to**
6 **practice interjurisdictional telepsychology within that receiving state. A home state may**
7 **take adverse action against a psychologist based on an adverse action taken by a distant**
8 **state regarding temporary in-person, face-to-face practice.**

9 **3. (1) If a home state takes adverse action against a psychologist's license, that**
10 **psychologist's authority to practice interjurisdictional telepsychology is terminated and the**

11 **E.Passport is revoked. Furthermore, that psychologist's temporary authorization to**
12 **practice is terminated and the IPC is revoked.**

13 **(2) All home state disciplinary orders which impose adverse action shall be**
14 **reported to the commission in accordance with the rules promulgated by the commission.**
15 **A compact state shall report adverse actions in accordance with the rules of the**
16 **commission.**

17 **(3) In the event discipline is reported on a psychologist, the psychologist will not be**
18 **eligible for telepsychology or temporary in-person, face-to-face practice in accordance with**
19 **the rules of the commission.**

20 **(4) Other actions may be imposed as determined by the rules promulgated by the**
21 **commission.**

22 **4. A home state's psychology regulatory authority shall investigate and take**
23 **appropriate action with respect to reported inappropriate conduct engaged in by a licensee**
24 **which occurred in a receiving state as it would if such conduct had occurred by a licensee**
25 **within the home state. In such cases, the home state's law shall control in determining any**
26 **adverse action against a psychologist's license.**

27 **5. A distant state's psychology regulatory authority shall investigate and take**
28 **appropriate action with respect to reported inappropriate conduct engaged in by a**
29 **psychologist practicing under temporary authorization practice which occurred in that**
30 **distant state as it would if such conduct had occurred by a licensee within the home state.**
31 **In such cases, distant state's law shall control in determining any adverse action against**
32 **a psychologist's temporary authorization to practice.**

33 **6. Nothing in this compact shall override a compact state's decision that a**
34 **psychologist's participation in an alternative program may be used in lieu of adverse action**
35 **and that such participation shall remain non-public if required by the compact state's law.**
36 **Compact states shall require psychologists who enter any alternative programs to not**
37 **provide telepsychology services under the authority to practice interjurisdictional**
38 **telepsychology or provide temporary psychological services under the temporary**
39 **authorization to practice in any other compact state during the term of the alternative**
40 **program.**

41 **7. No other judicial or administrative remedies shall be available to a psychologist**
42 **in the event a compact state imposes an adverse action pursuant to subsection 3 of this**
43 **section.**

337.135. 1. In addition to any other powers granted under state law, a compact
2 **state's psychology regulatory authority shall have the authority under this compact to:**

3 **(1) Issue subpoenas, for both hearings and investigations, which require the**
4 **attendance and testimony of witnesses and the production of evidence. Subpoenas issued**
5 **by a compact state's psychology regulatory authority for the attendance and testimony of**
6 **witnesses, or the production of evidence from another compact state shall be enforced in**
7 **the latter state by any court of competent jurisdiction, according to that court's practice**
8 **and procedure in considering subpoenas issued in its own proceedings. The issuing state**
9 **psychology regulatory authority shall pay any witness fees, travel expenses, mileage and**
10 **other fees required by the service statutes of the state where the witnesses or evidence are**
11 **located; and**

12 **(2) Issue cease and desist or injunctive relief orders to revoke a psychologist's**
13 **authority to practice interjurisdictional telepsychology or temporary authorization to**
14 **practice.**

15 **2. During the course of any investigation, a psychologist may not change his or her**
16 **home state licensure. A home state psychology regulatory authority is authorized to**
17 **complete any pending investigations of a psychologist and to take any actions appropriate**
18 **under its law. The home state psychology regulatory authority shall promptly report the**
19 **conclusions of such investigations to the commission. Once an investigation has been**
20 **completed, and pending the outcome of said investigation, the psychologist may change his**
21 **or her home state licensure. The commission shall promptly notify the new home state of**
22 **any such decisions as provided in the rules of the commission. All information provided**
23 **to the commission or distributed by compact states pursuant to the psychologist shall be**
24 **confidential, filed under seal and used for investigatory or disciplinary matters. The**
25 **commission may create additional rules for mandated or discretionary sharing of**
26 **information by compact states.**

337.140. 1. The commission shall provide for the development and maintenance
2 **of a coordinated licensure information system "coordinated database" and reporting**
3 **system containing licensure and disciplinary action information on all psychologist**
4 **individuals to whom this compact is applicable in all compact states as defined by the rules**
5 **of the commission.**

6 **2. Notwithstanding any other provision of state law to the contrary, a compact state**
7 **shall submit a uniform data set to the coordinated database on all licensees as required by**
8 **the rules of the commission, including:**

- 9 **(1) Identifying information;**
10 **(2) Licensure data;**
11 **(3) Significant investigatory information;**
12 **(4) Adverse actions against a psychologist's license;**

13 **(5) An indicator that a psychologist's authority to practice interjurisdictional**
14 **telepsychology or temporary authorization to practice is revoked;**

15 **(6) Nonconfidential information related to alternative program participation**
16 **information;**

17 **(7) Any denial of application for licensure, and the reasons for such denial; and**

18 **(8) Other information which may facilitate the administration of this compact, as**
19 **determined by the rules of the commission.**

20 **3. The coordinated database administrator shall promptly notify all compact states**
21 **of any adverse action taken against, or significant investigative information on, any licensee**
22 **in a compact state.**

23 **4. Compact states reporting information to the coordinated database may designate**
24 **information that may not be shared with the public without the express permission of the**
25 **compact state reporting the information.**

26 **5. Any information submitted to the coordinated database that is subsequently**
27 **required to be expunged by the law of the compact state reporting the information shall**
28 **be removed from the coordinated database.**

337.145. 1. The compact states hereby create and establish a joint public agency
2 **known as the psychology interjurisdictional compact commission.**

3 **(1) The commission is a body politic and an instrumentality of the compact states.**

4 **(2) Venue is proper and judicial proceedings by or against the commission shall be**
5 **brought solely and exclusively in a court of competent jurisdiction where the principal**
6 **office of the commission is located. The commission may waive venue and jurisdictional**
7 **defenses to the extent it adopts or consents to participate in alternative dispute resolution**
8 **proceedings.**

9 **(3) Nothing in this compact shall be construed to be a waiver of sovereign**
10 **immunity.**

11 **2. The commission shall consist of one voting representative appointed by each**
12 **compact state who shall serve as that state's commissioner. The state psychology**
13 **regulatory authority shall appoint its delegate. This delegate shall be empowered to act on**
14 **behalf of the compact state. This delegate shall be limited to:**

15 **(1) Executive director, executive secretary or similar executive;**

16 **(2) Current member of the state psychology regulatory authority of a compact**
17 **state; or**

18 **(3) Designee empowered with the appropriate delegate authority to act on behalf**
19 **of the compact state.**

20 **3. (1) Any commissioner may be removed or suspended from office as provided by**
21 **the law of the state from which the commissioner is appointed. Any vacancy occurring in**
22 **the commission shall be filled in accordance with the laws of the compact state in which the**
23 **vacancy exists.**

24 **(2) Each commissioner shall be entitled to one vote with regard to the promulgation**
25 **of rules and creation of bylaws and shall otherwise have an opportunity to participate in**
26 **the business and affairs of the commission. A commissioner shall vote in person or by such**
27 **other means as provided in the bylaws. The bylaws may provide for commissioners'**
28 **participation in meetings by telephone or other means of communication.**

29 **(3) The commission shall meet at least once during each calendar year. Additional**
30 **meetings shall be held as set forth in the bylaws.**

31 **(4) All meetings shall be open to the public, and public notice of meetings shall be**
32 **given in the same manner as required under the rulemaking provisions in section 337.150.**

33 **(5) The commission may convene in a closed, nonpublic meeting if the commission**
34 **shall discuss:**

35 **(a) Noncompliance of a compact state with its obligations under the compact;**

36 **(b) The employment, compensation, discipline or other personnel matters, practices**
37 **or procedures related to specific employees or other matters related to the commission's**
38 **internal personnel practices and procedures;**

39 **(c) Current, threatened, or reasonably anticipated litigation against the**
40 **commission;**

41 **(d) Negotiation of contracts for the purchase or sale of goods, services or real estate;**

42 **(e) Accusation against any person of a crime or formally censuring any person;**

43 **(f) Disclosure of trade secrets or commercial or financial information which is**
44 **privileged or confidential;**

45 **(g) Disclosure of information of a personal nature where disclosure would**
46 **constitute a clearly unwarranted invasion of personal privacy;**

47 **(h) Disclosure of investigatory records compiled for law enforcement purposes;**

48 **(i) Disclosure of information related to any investigatory reports prepared by or**
49 **on behalf of or for use of the commission or other committee charged with responsibility**
50 **for investigation or determination of compliance issues pursuant to the compact;**

51 **(j) Matters specifically exempted from disclosure by federal and state statute.**

52 **(6) If a meeting, or portion of a meeting, is closed pursuant to subdivision (5) of**
53 **subsection 3 of this section, the commission's legal counsel or designee shall certify that the**
54 **meeting may be closed and shall reference each relevant exempting provision. The**
55 **commission shall keep minutes which fully and clearly describe all matters discussed in a**

56 meeting and shall provide a full and accurate summary of actions taken, of any person
57 participating in the meeting, and the reasons therefore, including a description of the views
58 expressed. All documents considered in connection with an action shall be identified in
59 such minutes. All minutes and documents of a closed meeting shall remain under seal,
60 subject to release only by a majority vote of the commission or order of a court of
61 competent jurisdiction.

62 4. The commission shall, by a majority vote of the commissioners, prescribe bylaws
63 or rules to govern its conduct as may be necessary or appropriate to carry out the purposes
64 and exercise the powers of the compact, including but not limited to:

65 (1) Establishing the fiscal year of the commission;

66 (2) Providing reasonable standards and procedures:

67 (a) For the establishment and meetings of other committees; and

68 (b) Governing any general or specific delegation of any authority or function of the
69 commission;

70 (3) Providing reasonable procedures for calling and conducting meetings of the
71 commission, ensuring reasonable advance notice of all meetings and providing an
72 opportunity for attendance of such meetings by interested parties, with enumerated
73 exceptions designed to protect the public's interest, the privacy of individuals of such
74 proceedings, and proprietary information, including trade secrets. The commission may
75 meet in closed session only after a majority of the commissioners vote to close a meeting to
76 the public in whole or in part. As soon as practicable, the commission shall make public
77 a copy of the vote to close the meeting revealing the vote of each commissioner with no
78 proxy votes allowed;

79 (4) Establishing the titles, duties and authority and reasonable procedures for the
80 election of the officers of the commission;

81 (5) Providing reasonable standards and procedures for the establishment of the
82 personnel policies and programs of the commission. Notwithstanding any civil service or
83 other similar law of any compact state, the bylaws shall exclusively govern the personnel
84 policies and programs of the commission;

85 (6) Promulgating a code of ethics to address permissible and prohibited activities
86 of commission members and employees;

87 (7) Providing a mechanism for concluding the operations of the commission and the
88 equitable disposition of any surplus funds that may exist after the termination of the
89 compact after the payment or reserving of all of its debts and obligations.

90 **5. (1) The commission shall publish its bylaws in a convenient form and file a copy**
91 **thereof and a copy of any amendment thereto, with the appropriate agency or officer in**
92 **each of the compact states;**

93 **(2) The commission shall maintain its financial records in accordance with the**
94 **bylaws; and**

95 **(3) The commission shall meet and take such actions as are consistent with the**
96 **provisions of this compact and the bylaws.**

97 **6. The commission shall have the following powers:**

98 **(1) The authority to promulgate uniform rules to facilitate and coordinate**
99 **implementation and administration of this compact. The rule shall have the force and**
100 **effect of law and shall be binding in all compact states;**

101 **(2) To bring and prosecute legal proceedings or actions in the name of the**
102 **commission, provided that the standing of any state psychology regulatory authority or**
103 **other regulatory body responsible for psychology licensure to sue or be sued under**
104 **applicable law shall not be affected;**

105 **(3) To purchase and maintain insurance and bonds;**

106 **(4) To borrow, accept or contract for services of personnel, including, but not**
107 **limited to, employees of a compact state;**

108 **(5) To hire employees, elect or appoint officers, fix compensation, define duties,**
109 **grant such individuals appropriate authority to carry out the purposes of the compact, and**
110 **to establish the commission's personnel policies and programs relating to conflicts of**
111 **interest, qualifications of personnel, and other related personnel matters;**

112 **(6) To accept any and all appropriate donations and grants of money, equipment,**
113 **supplies, materials and services, and to receive, utilize and dispose of the same; provided**
114 **that at all times the commission shall strive to avoid any appearance of impropriety or**
115 **conflict of interest;**

116 **(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to**
117 **own, hold, improve or use, any property, real, personal or mixed; provided that at all times**
118 **the commission shall strive to avoid any appearance of impropriety;**

119 **(8) To lease, purchase, accept appropriate gifts or donations of, or otherwise to**
120 **own, hold, improve or use, any property, real, personal or mixed; provided that at all times**
121 **the commission shall strive to avoid any appearance of impropriety;**

122 **(9) To establish a budget and make expenditures;**

123 **(10) To borrow money;**

- 124 **(11) To appoint committees, including advisory committees comprised of members,**
125 **state regulators, state legislators or their representatives, and consumer representatives,**
126 **and such other interested persons as may be designated in this compact and the bylaws;**
- 127 **(12) To provide and receive information from, and to cooperate with, law**
128 **enforcement agencies;**
- 129 **(13) To adopt and use an official seal; and**
- 130 **(14) To perform such other functions as may be necessary or appropriate to achieve**
131 **the purposes of this compact consistent with the state regulation of psychology licensure,**
132 **temporary in-person, face-to-face practice and telepsychology practice.**
- 133 **7. (1) The elected officers shall serve as the executive board, which shall have the**
134 **power to act on behalf of the commission according to the terms of this compact.**
- 135 **(2) The executive board shall be comprised of six members:**
- 136 **(a) Five voting members who are elected from the current membership of the**
137 **commission by the commission;**
- 138 **(b) One ex officio, nonvoting member from the recognized membership**
139 **organization composed of state and provincial psychology regulatory authorities.**
- 140 **(3) The ex officio member shall have served as staff or member on a state**
141 **psychology regulatory authority and will be selected by its respective organization.**
- 142 **(4) The commission may remove any member of the executive board as provided**
143 **in bylaws.**
- 144 **(5) The executive board shall meet at least annually.**
- 145 **(6) The executive board shall have the following duties and responsibilities:**
- 146 **(a) Recommend to the entire commission changes to the rules or bylaws, changes**
147 **to this compact legislation, fees paid by compact states such as annual dues, and any other**
148 **applicable fees;**
- 149 **(b) Ensure compact administration services are appropriately provided,**
150 **contractual or otherwise;**
- 151 **(c) Prepare and recommend the budget;**
- 152 **(d) Maintain financial records on behalf of the commission;**
- 153 **(e) Monitor compact compliance of member states and provide compliance reports**
154 **to the commission;**
- 155 **(f) Establish additional committees as necessary; and**
- 156 **(g) Other duties as provided in rules or bylaws.**
- 157 **8. (1) The commission shall pay, or provide for the payment of the reasonable**
158 **expenses of its establishment, organization and ongoing activities.**

159 **(2) The commission may accept any and all appropriate revenue sources, donations**
160 **and grants of money, equipment, supplies, materials and services.**

161 **(3) The commission may levy on and collect an annual assessment from each**
162 **compact state or impose fees on other parties to cover the cost of the operations and**
163 **activities of the commission and its staff which shall be in a total amount sufficient to cover**
164 **its annual budget as approved each year for which revenue is not provided by other**
165 **sources. The aggregate annual assessment amount shall be allocated based upon a formula**
166 **to be determined by the commission which shall promulgate a rule binding upon all**
167 **compact states.**

168 **(4) The commission shall not incur obligations of any kind prior to securing the**
169 **funds adequate to meet the same; nor shall the commission pledge the credit of any of the**
170 **compact states, except by and with the authority of the compact state.**

171 **(5) The commission shall keep accurate accounts of all receipts and disbursements.**
172 **The receipts and disbursements of the commission shall be subject to the audit and**
173 **accounting procedures established under its bylaws. However, all receipts and**
174 **disbursements of funds handled by the commission shall be audited yearly by a certified**
175 **or licensed public accountant and the report of the audit shall be included in and become**
176 **part of the annual report of the commission.**

177 **9. (1) The members, officers, executive director, employees and representatives of**
178 **the commission shall be immune from suit and liability, either personally or in their official**
179 **capacity, for any claim for damage to or loss of property or personal injury or other civil**
180 **liability caused by or arising out of any actual or alleged act, error or omission that**
181 **occurred, or that the person against whom the claim is made had a reasonable basis for**
182 **believing occurred within the scope of commission employment, duties or responsibilities;**
183 **provided that nothing in this subsection shall be construed to protect any such person from**
184 **suit or liability for any damage, loss, injury or liability caused by the intentional or willful**
185 **or wanton misconduct of that person.**

186 **(2) The commission shall defend any member, officer, executive director, employee**
187 **or representative of the commission in any civil action seeking to impose liability arising**
188 **out of any actual or alleged act, error or omission that occurred within the scope of**
189 **commission employment, duties or responsibilities, or that the person against whom the**
190 **claim is made had a reasonable basis for believing occurred within the scope of commission**
191 **employment, duties or responsibilities; provided that nothing herein shall be construed to**
192 **prohibit that person from retaining his or her own counsel; and provided further, that the**
193 **actual or alleged act, error or omission did not result from that person's intentional or**
194 **willful or wanton misconduct.**

195 **(3) The commission shall indemnify and hold harmless any member, officer,**
196 **executive director, employee or representative of the commission for the amount of any**
197 **settlement or judgment obtained against that person arising out of any actual or alleged**
198 **act, error or omission that occurred within the scope of commission employment, duties**
199 **or responsibilities, or that such person had a reasonable basis for believing occurred within**
200 **the scope of commission employment, duties or responsibilities, provided that the actual**
201 **or alleged act, error or omission did not result from the intentional or willful or wanton**
202 **misconduct of that person.**

337.150. 1. The commission shall exercise its rulemaking powers pursuant to the
2 **criteria set forth in this section and the rules adopted thereunder. Rules and amendments**
3 **shall become binding as of the date specified in each rule or amendment.**

4 **2. If a majority of the legislatures of the compact states rejects a rule, by enactment**
5 **of a statute or resolution in the same manner used to adopt the compact, then such rule**
6 **shall have no further force and effect in any compact state.**

7 **3. Rules or amendments to the rules shall be adopted at a regular or special meeting**
8 **of the commission.**

9 **4. Prior to promulgation and adoption of a final rule or rules by the commission,**
10 **and at least sixty days in advance of the meeting at which the rule will be considered and**
11 **voted upon, the commission shall file a notice of proposed rulemaking:**

12 **(1) On the website of the commission; and**

13 **(2) On the website of each compact states' psychology regulatory authority or the**
14 **publication in which each state would otherwise publish proposed rules.**

15 **5. The notice of proposed rulemaking shall include:**

16 **(1) The proposed time, date, and location of the meeting in which the rule will be**
17 **considered and voted upon;**

18 **(2) The text of the proposed rule or amendment and the reason for the proposed**
19 **rule;**

20 **(3) A request for comments on the proposed rule from any interested person;**

21 **(4) The manner in which interested persons may submit notice to the commission**
22 **of their intention to attend the public hearing and any written comments.**

23 **6. Prior to adoption of a proposed rule, the commission shall allow persons to**
24 **submit written data, facts, opinions and arguments, which shall be made available to the**
25 **public.**

26 **7. The commission shall grant an opportunity for a public hearing before it adopts**
27 **a rule or amendment if a hearing is requested by:**

28 **(1) At least twenty-five persons who submit comments independently of each other;**

- 29 **(2) A governmental subdivision or agency; or**
30 **(3) A duly appointed person in an association that has at least twenty-five members.**
- 31 **8. (1) If a hearing is held on the proposed rule or amendment, the commission shall**
32 **publish the place, time, and date of the scheduled public hearing.**
- 33 **(2) All persons wishing to be heard at the hearing shall notify the executive director**
34 **of the commission or other designated member in writing of their desire to appear and**
35 **testify at the hearing not less than five business days before the scheduled date of the**
36 **hearing.**
- 37 **(3) Hearings shall be conducted in a manner providing each person who wishes to**
38 **comment a fair and reasonable opportunity to comment orally or in writing.**
- 39 **(4) No transcript of the hearing is required, unless a written request for a transcript**
40 **is made, in which case the person requesting the transcript shall bear the cost of producing**
41 **the transcript. A recording may be made in lieu of a transcript under the same terms and**
42 **conditions as a transcript. This subdivision shall not preclude the commission from**
43 **making a transcript or recording of the hearing if it so chooses.**
- 44 **(5) Nothing in this section shall be construed as requiring a separate hearing on**
45 **each rule. Rules may be grouped for the convenience of the commission at hearings**
46 **required by this section.**
- 47 **9. Following the scheduled hearing date, or by the close of business on the**
48 **scheduled hearing date if the hearing was not held, the commission shall consider all**
49 **written and oral comments received.**
- 50 **10. The commission shall, by majority vote of all members, take final action on the**
51 **proposed rule and shall determine the effective date of the rule, if any, based on the**
52 **rulemaking record and the full text of the rule.**
- 53 **11. If no written notice of intent to attend the public hearing by interested parties**
54 **is received, the commission may proceed with promulgation of the proposed rule without**
55 **a public hearing.**
- 56 **12. Upon determination that an emergency exists, the commission may consider and**
57 **adopt an emergency rule without prior notice, opportunity for comment, or hearing,**
58 **provided that the usual rulemaking procedures provided in the compact and in this section**
59 **shall be retroactively applied to the rule as soon as reasonably possible, in no event later**
60 **than ninety days after the effective date of the rule. For the purposes of this provision, an**
61 **emergency rule is one that shall be adopted immediately in order to:**
- 62 **(1) Meet an imminent threat to public health, safety, or welfare;**
63 **(2) Prevent a loss of commission or compact state funds;**

64 **(3) Meet a deadline for the promulgation of an administrative rule that is**
65 **established by federal law or rule; or**

66 **(4) Protect public health and safety.**

67 **13. (1) The commission or an authorized committee of the commission may direct**
68 **revisions to a previously adopted rule or amendment for purposes of correcting**
69 **typographical errors, errors in format, errors in consistency, or grammatical errors.**
70 **Public notice of any revisions shall be posted on the website of the commission. The**
71 **revision shall be subject to challenge by any person for a period of thirty days after**
72 **posting. The revision may be challenged only on grounds that the revision results in a**
73 **material change to a rule.**

74 **(2) A challenge shall be made in writing, and delivered to the chair of the**
75 **commission prior to the end of the notice period. If no challenge is made, the revision will**
76 **take effect without further action. If the revision is challenged, the revision may not take**
77 **effect without the approval of the commission.**

337.155. 1. (1) The executive, legislative and judicial branches of state government
2 **in each compact state shall enforce this compact and take all actions necessary and**
3 **appropriate to effectuate the compact's purposes and intent. The provisions of this**
4 **compact and the rules promulgated hereunder shall have standing as statutory law.**

5 **(2) All courts shall take judicial notice of the compact and the rules in any judicial**
6 **or administrative proceeding in a compact state pertaining to the subject matter of this**
7 **compact which may affect the powers, responsibilities or actions of the commission.**

8 **(3) The commission shall be entitled to receive service of process in any such**
9 **proceeding, and shall have standing to intervene in such a proceeding for all purposes.**
10 **Failure to provide service of process to the commission shall render a judgment or order**
11 **void as to the commission, this compact or promulgated rules.**

12 **2. (1) If the commission determines that a compact state has defaulted in the**
13 **performance of its obligations or responsibilities under this compact or the promulgated**
14 **rules, the commission shall:**

15 **(a) Provide written notice to the defaulting state and other compact states of the**
16 **nature of the default, the proposed means of remedying the default or any other action to**
17 **be taken by the commission; and**

18 **(b) Provide remedial training and specific technical assistance regarding the**
19 **default.**

20 **(2) If a state in default fails to remedy the default, the defaulting state may be**
21 **terminated from the compact upon an affirmative vote of a majority of the compact states,**
22 **and all rights, privileges and benefits conferred by this compact shall be terminated on the**

23 effective date of termination. A remedy of the default does not relieve the offending state
24 of obligations or liabilities incurred during the period of default.

25 (3) Termination of membership in the compact shall be imposed only after all other
26 means of securing compliance have been exhausted. Notice of intent to suspend or
27 terminate shall be submitted by the commission to the governor, the majority and minority
28 leaders of the defaulting state's legislature, and each of the compact states.

29 (4) A compact state which has been terminated is responsible for all assessments,
30 obligations and liabilities incurred through the effective date of termination, including
31 obligations which extend beyond the effective date of termination.

32 (5) The commission shall not bear any costs incurred by the state which is found
33 to be in default or which has been terminated from the compact, unless agreed upon in
34 writing between the commission and the defaulting state.

35 (6) The defaulting state may appeal the action of the commission by petitioning the
36 U.S. District Court for the state of Georgia or the federal district where the compact has
37 its principal offices. The prevailing member shall be awarded all costs of such litigation,
38 including reasonable attorney's fees.

39 3. (1) Upon request by a compact state, the commission shall attempt to resolve
40 disputes related to the compact which arise among compact states and between compact
41 and noncompact states.

42 (2) The commission shall promulgate a rule providing for both mediation and
43 binding dispute resolution for disputes that arise before the commission.

44 4. (1) The commission, in the reasonable exercise of its discretion, shall enforce the
45 provisions and rules of this compact.

46 (2) By majority vote, the commission may initiate legal action in the United States
47 District Court for the State of Georgia or the federal district where the compact has its
48 principal offices against a compact state in default to enforce compliance with the
49 provisions of the compact and its promulgated rules and bylaws. The relief sought may
50 include both injunctive relief and damages. In the event judicial enforcement is necessary,
51 the prevailing member shall be awarded all costs of such litigation, including reasonable
52 attorney's fees.

53 (3) The remedies herein shall not be the exclusive remedies of the commission. The
54 commission may pursue any other remedies available under federal or state law.

337.160. 1. The compact shall come into effect on the date on which the compact
2 is enacted into law in the seventh compact state. The provisions which become effective at
3 that time shall be limited to the powers granted to the commission relating to assembly and

4 the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking
5 powers necessary to the implementation and administration of the compact.

6 2. Any state which joins the compact subsequent to the commission's initial
7 adoption of the rules shall be subject to the rules as they exist on the date on which the
8 compact becomes law in that state. Any rule which has been previously adopted by the
9 commission shall have the full force and effect of law on the day the compact becomes law
10 in that state.

11 3. (1) Any compact state may withdraw from this compact by enacting a statute
12 repealing the same.

13 (2) A compact state's withdrawal shall not take effect until six months after
14 enactment of the repealing statute.

15 (3) Withdrawal shall not affect the continuing requirement of the withdrawing
16 state's psychology regulatory authority to comply with the investigative and adverse action
17 reporting requirements of this act prior to the effective date of withdrawal.

18 4. Nothing contained in this compact shall be construed to invalidate or prevent any
19 psychology licensure agreement or other cooperative arrangement between a compact state
20 and a noncompact state which does not conflict with the provisions of this compact.

21 5. This compact may be amended by the compact states. No amendment to this
22 compact shall become effective and binding upon any compact state until it is enacted into
23 the law of all compact states.

337.165. This compact shall be liberally construed so as to effectuate the purposes
2 thereof. If this compact shall be held contrary to the constitution of any state member
3 thereto, the compact shall remain in full force and effect as to the remaining compact
4 states.

337.315. 1. An applied behavior analysis intervention shall produce socially significant
2 improvements in human behavior through skill acquisition, increase or decrease in behaviors
3 under specific environmental conditions and the reduction of problematic behavior. An applied
4 behavior analysis intervention shall:

5 (1) Be based on empirical research and the identification of functional relations between
6 behavior and environment, contextual factors, antecedent stimuli and reinforcement operations
7 through the direct observation and measurement of behavior, arrangement of events and
8 observation of effects on behavior, as well as other information gathering methods such as record
9 review and interviews; and

10 (2) Utilize changes and arrangements of contextual factors, antecedent stimuli, positive
11 reinforcement, and other consequences to produce behavior change.

12 2. Each person wishing to practice as a licensed behavior analyst shall:

13 (1) Submit a complete application on a form approved by the committee **which shall**
14 **include a statement that the applicant has completed two hours of suicide assessment,**
15 **referral, treatment, and management training;**

16 (2) Pay all necessary fees as set by the committee;

17 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
18 than six months prior to the application date;

19 (4) Provide two classified sets of fingerprints for processing by the Missouri state
20 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol
21 to search the criminal history repository and the second set shall be forwarded to the Federal
22 Bureau of Investigation for searching the federal criminal history files;

23 (5) Have passed an examination and been certified as a board-certified behavior analyst
24 by a certifying entity, as defined in section 337.300;

25 (6) Provide evidence of active status as a board-certified behavior analyst; and

26 (7) If the applicant holds a license as a behavior analyst in another state, a statement from
27 all issuing states verifying licensure and identifying any disciplinary action taken against the
28 license holder by that state.

29 3. Each person wishing to practice as a licensed assistant behavior analyst shall:

30 (1) Submit a complete application on a form approved by the committee;

31 (2) Pay all necessary fees as set by the committee;

32 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
33 than six months prior to the application date;

34 (4) Provide two classified sets of fingerprints for processing by the Missouri state
35 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol
36 to search the criminal history repository and the second set shall be forwarded to the Federal
37 Bureau of Investigation for searching the federal criminal history files;

38 (5) Have passed an examination and been certified as a board-certified assistant behavior
39 analyst by a certifying entity, as defined in section 337.300;

40 (6) Provide evidence of active status as a board-certified assistant behavior analyst;

41 (7) If the applicant holds a license as an assistant behavior analyst in another state, a
42 statement from all issuing states verifying licensure and identifying any disciplinary action taken
43 against the license holder by that state; and

44 (8) Submit documentation satisfactory to the committee that the applicant will be directly
45 supervised by a licensed behavior analyst in a manner consistent with the certifying entity.

46 4. The committee shall be authorized to issue a temporary license to an applicant for a
47 behavior analyst license or assistant behavior analyst license upon receipt of a complete
48 application, submission of a fee as set by the committee by rule for behavior analyst or assistant

49 behavior analyst, and a showing of valid licensure as a behavior analyst or assistant behavior
50 analyst in another state, only if the applicant has submitted fingerprints and no disqualifying
51 criminal history appears on the family care safety registry. The temporary license shall expire
52 upon issuance of a license or denial of the application but no later than ninety days from issuance
53 of the temporary license. Upon written request to the committee, the holder of a temporary
54 license shall be entitled to one extension of ninety days of the temporary license.

55 5. (1) The committee shall, in accordance with rules promulgated by the committee,
56 issue a provisional behavior analyst license or a provisional assistant behavior analyst license
57 upon receipt by the committee of a complete application, appropriate fee as set by the committee
58 by rule, and proof of satisfaction of requirements under subsections 2 and 3 of this section,
59 respectively, and other requirements established by the committee by rule, except that applicants
60 for a provisional license as either a behavior analyst or assistant behavior analyst need not have
61 passed an examination and been certified as a board-certified behavior analyst or a
62 board-certified assistant behavior analyst to obtain a provisional behavior analyst or provisional
63 assistant behavior analyst license.

64 (2) A provisional license issued under this subsection shall only authorize and permit the
65 licensee to render behavior analysis under the supervision and the full professional responsibility
66 and control of such licensee's licensed supervisor.

67 (3) A provisional license shall automatically terminate upon issuance of a permanent
68 license, upon a finding of cause to discipline after notice and hearing under section 337.330,
69 upon termination of supervision by a licensed supervisor, or upon the expiration of one year from
70 the date of issuance of the provisional license, whichever first occurs. The provisional license
71 may be renewed after one year, with a maximum issuance of two years. Upon a showing of good
72 cause, the committee by rule shall provide procedures for exceptions and variances from the
73 requirement of a maximum issuance of two years.

74 6. No person shall hold himself or herself out to be licensed behavior analysts or LBA,
75 provisionally licensed behavior analyst or PLBA, provisionally licensed assistant behavior
76 analyst or PLABA, temporary licensed behavior analyst or TLBA, or temporary licensed
77 assistant behavior analyst or TLaBA, licensed assistant behavior analysts or LaBA in the state
78 of Missouri unless they meet the applicable requirements.

79 7. No persons shall practice applied behavior analysis unless they are:

80 (1) Licensed behavior analysts;

81 (2) Licensed assistant behavior analysts working under the supervision of a licensed
82 behavior analyst;

83 (3) An individual who has a bachelor's or graduate degree and completed course work
84 for licensure as a behavior analyst and is obtaining supervised field experience under a licensed

85 behavior analyst pursuant to required supervised work experience for licensure at the behavior
86 analyst or assistant behavior analyst level;

87 (4) Licensed psychologists practicing within the rules and standards of practice for
88 psychologists in the state of Missouri and whose practice is commensurate with their level of
89 training and experience;

90 (5) Provisionally licensed behavior analysts;

91 (6) Provisionally licensed assistant behavior analysts;

92 (7) Temporary licensed behavior analysts; or

93 (8) Temporary licensed assistant behavior analysts.

94 8. Notwithstanding the provisions in subsection 6 of this section, any licensed or
95 certified professional may practice components of applied behavior analysis, as defined in
96 section 337.300 if he or she is acting within his or her applicable scope of practice and ethical
97 guidelines.

98 9. All licensed behavior analysts and licensed assistant behavior analysts shall be bound
99 by the code of conduct adopted by the committee by rule.

100 10. Licensed assistant behavior analysts shall work under the direct supervision of a
101 licensed behavior analyst as established by committee rule.

102 11. Persons who provide services under the Individuals with Disabilities Education Act
103 (IDEA), 20 U.S.C. Section 1400, et seq., or Section 504 of the federal Rehabilitation Act of
104 1973, 29 U.S.C. Section 794, or are enrolled in a course of study at a recognized educational
105 institution through which the person provides applied behavior analysis as part of supervised
106 clinical experience shall be exempt from the requirements of this section.

107 12. A violation of this section shall be punishable by probation, suspension, or loss of
108 any license held by the violator.

337.320. 1. The division shall mail a renewal notice to the last known address of each
2 licensee or registrant prior to the renewal date.

3 2. Each person wishing to renew the behavior analyst license or the assistant behavior
4 analyst license shall:

5 (1) Submit a complete application on a form approved by the committee **which shall**
6 **include a statement that the applicant has completed two hours of suicide assessment,**
7 **referral, treatment, and management training;**

8 (2) Pay all necessary fees as set by the committee; and

9 (3) Submit proof of active certification and fulfillment of all requirements for renewal
10 and recertification with the certifying entity.

11 3. Failure to provide the division with documentation required by subsection 2 of this
12 section or other information required for renewal shall effect a revocation of the license after a
13 period of sixty days from the renewal date.

14 4. Each person wishing to restore the license, within two years of the renewal date, shall:

15 (1) Submit a complete application on a form approved by the committee;

16 (2) Pay the renewal fee and a delinquency fee as set by the committee; and

17 (3) Submit proof of current certification from a certifying body approved by the
18 committee.

19 5. A new license to replace any certificate lost, destroyed, or mutilated may be issued
20 subject to the rules of the committee, upon payment of a fee established by the committee.

21 6. The committee shall set the amount of the fees authorized by sections 337.300 to
22 337.345 and required by rules promulgated under section 536.021. The fees shall be set at a
23 level to produce revenue which shall not substantially exceed the cost and expense of
24 administering sections 337.300 to 337.345.

25 7. The committee is authorized to issue an inactive license to any licensee who makes
26 written application for such license on a form provided by the committee and remits the fee for
27 an inactive license established by the committee. An inactive license may be issued only to a
28 person who has previously been issued a license to practice as a licensed behavior analyst or a
29 licensed assistant behavior analyst who is no longer regularly engaged in such practice and who
30 does not hold himself or herself out to the public as being professionally engaged in such practice
31 in this state. Each inactive license shall be subject to all provisions of this chapter, except as
32 otherwise specifically provided. Each inactive license may be renewed by the committee subject
33 to all provisions of this section and all other provisions of this chapter. The inactive licensee
34 shall not be required to submit evidence of completion of continuing education as required by
35 this chapter.

36 8. An inactive licensee may apply for a license to regularly engage in the practice of
37 behavioral analysis by:

38 (1) Submitting a complete application on a form approved by the committee;

39 (2) Paying the reactivation fee as set by the committee; and

40 (3) Submitting proof of current certification from a certifying body approved by the
41 committee.

337.507. 1. Applications for examination and licensure as a professional counselor shall
2 be in writing, submitted to the division on forms prescribed by the division and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours**
4 **of suicide assessment, referral, treatment, and management training.** The application shall
5 contain the applicant's statements showing his education, experience and such other information

6 as the division may require. Each application shall contain a statement that it is made under oath
7 or affirmation and that the information contained therein is true and correct to the best
8 knowledge and belief of the applicant, subject to the penalties provided for the making of a false
9 affidavit or declaration. Each application shall be accompanied by the fees required by the
10 committee.

11 2. The division shall mail a renewal notice to the last known address of each licensee
12 prior to the registration renewal date. Failure to provide the division with the information
13 required for registration, or to pay the registration fee after such notice shall effect a revocation
14 of the license after a period of sixty days from the registration renewal date. The license shall
15 be restored if, within two years of the registration date, the applicant provides written application
16 and the payment of the registration fee and a delinquency fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
18 subject to the rules of the committee, upon payment of a fee.

19 4. The committee shall set the amount of the fees which sections 337.500 to 337.540
20 authorize and require by rules and regulations promulgated pursuant to section 536.021. The
21 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and
22 expense of administering the provisions of sections 337.500 to 337.540. All fees provided for
23 in sections 337.500 to 337.540 shall be collected by the director who shall deposit the same with
24 the state treasurer in a fund to be known as the "Committee of Professional Counselors Fund".

25 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
26 shall not be transferred and placed to the credit of general revenue until the amount in the fund
27 at the end of the biennium exceeds two times the amount of the appropriation from the
28 committee's fund for the preceding fiscal year or, if the committee requires by rule renewal less
29 frequently than yearly then three times the appropriation from the committee's fund for the
30 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
31 fund which exceeds the appropriate multiple of the appropriations from the committee's fund for
32 the preceding fiscal year.

33 6. The committee shall hold public examinations at least two times per year, at such
34 times and places as may be fixed by the committee, notice of such examinations to be given to
35 each applicant at least ten days prior thereto.

337.510. 1. Each applicant for licensure as a professional counselor shall furnish
2 evidence to the committee that the applicant is at least eighteen years of age, is of good moral
3 character, is a United States citizen or is legally present in the United States; and

4 (1) The applicant has completed a course of study as defined by the board rule leading
5 to a master's, specialist's, or doctoral degree with a major in counseling; and

6 (2) The applicant has completed acceptable supervised counseling as defined by board
7 rule. If the applicant has a master's degree with a major in counseling as defined by board rule,
8 the applicant shall complete at least two years of acceptable supervised counseling experience
9 subsequent to the receipt of the master's degree. The composition and number of hours
10 comprising the acceptable supervised counseling experience shall be defined by board rule. An
11 applicant may substitute thirty semester hours of post master's graduate study for one of the two
12 required years of acceptable supervised counseling experience if such hours are clearly related
13 to counseling;

14 (3) After August 28, 2007, each applicant shall have completed a minimum of three
15 hours of graduate level coursework in diagnostic systems either in the curriculum leading to a
16 degree or as post master's graduate level course work;

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

20 2. Any person who previously held a valid unrevoked, unsuspended license as a
21 professional counselor in this state and who held a valid license as a professional counselor in
22 another state at the time of application to the committee shall be granted a license to engage in
23 professional counseling in this state upon application to the committee accompanied by the
24 appropriate fee as established by the committee pursuant to section 337.507.

25 3. Any person holding a current license, certificate of registration, or permit from another
26 state or territory of the United States to practice as a professional counselor who is at least
27 eighteen years of age, is of good moral character, and is a United States citizen or is legally
28 present in the United States may be granted a license without examination to engage in the
29 practice of professional counseling in this state upon the application to the board, payment of the
30 required fee as established by the board, and satisfying one of the following requirements:

31 (1) Approval by the American Association of State Counseling Boards (AASCB) or its
32 successor organization according to the eligibility criteria established by AASCB. The successor
33 organization shall be defined by board rule; or

34 (2) In good standing and currently certified by the National Board for Certified
35 Counselors or its successor organization and has completed acceptable supervised counseling
36 experience as defined by board rule. The successor organization shall be defined by board rule;
37 or

38 (3) Determination by the board that the requirements of the other state or territory are
39 substantially the same as Missouri and certified by the applicant's current licensing entity that
40 the applicant has a current license. The applicant shall also consent to examination of any
41 disciplinary history.

42 4. The committee shall issue a license to each person who files an application and fee
43 and who furnishes evidence satisfactory to the committee that the applicant has complied with
44 the provisions of this act and has taken and passed a written, open-book examination on Missouri
45 laws and regulations governing the practice of professional counseling as defined in section
46 337.500. The division shall issue a provisional professional counselor license to any applicant
47 who meets all requirements of this section, but who has not completed the required acceptable
48 supervised counseling experience and such applicant may reapply for licensure as a professional
49 counselor upon completion of such acceptable supervised counseling experience.

50 5. All persons licensed to practice professional counseling in this state shall pay on or
51 before the license renewal date a renewal license fee and shall furnish to the committee
52 satisfactory evidence of the completion of the requisite number of hours of continuing education
53 as required by rule, **including two hours of suicide assessment, referral, treatment, and**
54 **management training**, which shall be no more than forty hours biennially. The continuing
55 education requirements may be waived by the committee upon presentation to the committee of
56 satisfactory evidence of the illness of the licensee or for other good cause.

 337.612. 1. Applications for licensure as a clinical social worker, baccalaureate social
2 worker, advanced macro social worker or master social worker shall be in writing, submitted to
3 the committee on forms prescribed by the committee and furnished to the applicant. **The form**
4 **shall include a statement that the applicant has completed two hours of suicide assessment,**
5 **referral, treatment, and management training.** The application shall contain the applicant's
6 statements showing the applicant's education, experience, and such other information as the
7 committee may require. Each application shall contain a statement that it is made under oath or
8 affirmation and that the information contained therein is true and correct to the best knowledge
9 and belief of the applicant, subject to the penalties provided for the making of a false affidavit
10 or declaration. Each application shall be accompanied by the fees required by the committee.

11 2. The committee shall mail a renewal notice to the last known address of each licensee
12 prior to the licensure renewal date. Failure to provide the committee with the information
13 required for licensure, or to pay the licensure fee after such notice shall effect a revocation of the
14 license after a period of sixty days from the licensure renewal date. The license shall be restored
15 if, within two years of the licensure date, the applicant provides written application and the
16 payment of the licensure fee and a delinquency fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
18 subject to the rules of the committee, upon payment of a fee.

19 4. The committee shall set the amount of the fees which sections 337.600 to 337.689
20 authorize and require by rules and regulations promulgated pursuant to section 536.021. The
21 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and

22 expense of administering the provisions of sections 337.600 to 337.689. All fees provided for
23 in sections 337.600 to 337.689 shall be collected by the director who shall deposit the same with
24 the state treasurer in a fund to be known as the "Clinical Social Workers Fund". After August
25 28, 2007, the clinical social workers fund shall be called the "Licensed Social Workers Fund"
26 and after such date all references in state law to the clinical social workers fund shall be
27 considered references to the licensed social workers fund.

28 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
29 shall not be transferred and placed to the credit of general revenue until the amount in the fund
30 at the end of the biennium exceeds two times the amount of the appropriations from the clinical
31 social workers fund for the preceding fiscal year or, if the committee requires by rule renewal
32 less frequently than yearly, then three times the appropriation from the committee's fund for the
33 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
34 fund which exceeds the appropriate multiple of the appropriations from the clinical social
35 workers fund for the preceding fiscal year.

337.618. Each license issued pursuant to the provisions of sections 337.600 to 337.689
2 shall expire on a renewal date established by the director. The term of licensure shall be
3 twenty-four months. The committee shall require a minimum number of thirty clock hours of
4 continuing education for renewal of a license issued pursuant to sections 337.600 to 337.689,
5 **including two hours of suicide assessment, referral, treatment, and management training.**
6 The committee shall renew any license upon application for a renewal, completion of the
7 required continuing education hours and upon payment of the fee established by the committee
8 pursuant to the provisions of section 337.612. As provided by rule, the board may waive or
9 extend the time requirements for completion of continuing education for reasons related to
10 health, military service, foreign residency, or for other good cause. All requests for waivers or
11 extensions of time shall be made in writing and submitted to the board before the renewal date.

337.662. 1. Applications for licensure as a baccalaureate social worker shall be in
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours**
4 **of suicide assessment, referral, treatment, and management training.** The application shall
5 contain the applicant's statements showing the applicant's education, experience and such other
6 information as the committee may require. Each application shall contain a statement that it is
7 made under oath or affirmation and that the information contained therein is true and correct to
8 the best knowledge and belief of the applicant, subject to the penalties provided for the making
9 of a false affidavit or declaration. Each application shall be accompanied by the fees required
10 by the committee.

11 2. The committee shall mail a renewal notice to the last known address of each licensee
12 prior to the licensure renewal date. Failure to provide the committee with the information
13 required for licensure **as provided in subsection 1 of this section**, or to pay the licensure fee
14 after such notice shall effect a revocation of the license after a period of sixty days from the
15 licensure renewal date. The license shall be restored if, within two years of the licensure date,
16 the applicant provides written application and the payment of the licensure fee and a delinquency
17 fee.

18 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
19 subject to the rules of the committee, upon payment of a fee.

20 4. The committee shall set the amount of the fees which sections 337.650 to 337.689
21 authorize and require by rules and regulations promulgated pursuant to chapter 536. The fees
22 shall be set at a level to produce revenue which shall not substantially exceed the cost and
23 expense of administering the provisions of sections 337.650 to 337.689. All fees provided for
24 in sections 337.650 to 337.689 shall be collected by the director who shall deposit the same with
25 the state treasurer in the clinical social workers fund established in section 337.612.

337.712. 1. Applications for licensure as a marital and family therapist shall be in
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours**
4 **of suicide assessment, referral, treatment, and management training.** The application shall
5 contain the applicant's statements showing the applicant's education, experience and such other
6 information as the committee may require. Each application shall contain a statement that it is
7 made under oath or affirmation and that the information contained therein is true and correct to
8 the best knowledge and belief of the applicant, subject to the penalties provided for the making
9 of a false affidavit or declaration. Each application shall be accompanied by the fees required
10 by the division.

11 2. The division shall mail a renewal notice to the last known address of each licensee
12 prior to the licensure renewal date. Failure to provide the division with the information required
13 for license, or to pay the licensure fee after such notice shall effect a revocation of the license
14 after a period of sixty days from the license renewal date. The license shall be restored if, within
15 two years of the licensure date, the applicant provides written application and the payment of the
16 licensure fee and a delinquency fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
18 subject to the rules of the division upon payment of a fee.

19 4. The committee shall set the amount of the fees authorized. The fees shall be set at a
20 level to produce revenue which shall not substantially exceed the cost and expense of
21 administering the provisions of sections 337.700 to 337.739. All fees provided for in sections

22 337.700 to 337.739 shall be collected by the director who shall deposit the same with the state
23 treasurer to a fund to be known as the "Marital and Family Therapists' Fund".

24 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
25 shall not be transferred and placed to the credit of general revenue until the amount in the fund
26 at the end of the biennium exceeds two times the amount of the appropriations from the marital
27 and family therapists' fund for the preceding fiscal year or, if the division requires by rule
28 renewal less frequently than yearly then three times the appropriation from the fund for the
29 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
30 fund which exceeds the appropriate multiple of the appropriations from the marital and family
31 therapists' fund for the preceding fiscal year.

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 licensed marital and family therapist shall furnish to the committee satisfactory evidence of the
8 completion of the requisite number of hours of continuing education as defined by rule, which
9 shall be no more than forty contact hours biennially. **At least two hours of continuing**
10 **education shall be in suicide assessment, referral, treatment, and management training.**
11 The continuing education requirements may be waived by the committee upon presentation to
12 the committee of satisfactory evidence of illness or for other good cause.

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

Section B. The enactment of sections 337.100, 337.105, 337.110, 337.115, 337.120,
2 337.125, 337.130, 337.135, 337.140, 337.145, 337.150, 337.155, 337.160, and 337.165 of this
3 act shall become effective upon notification by the commission to the revisor of statutes that
4 seven states have adopted the psychology interjurisdictional compact.

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