

HCS SCS SB 846 -- PROFESSIONAL LICENSING

SPONSOR: Schupp

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Professional Registration and Licensing by a vote of 11 to 0. Voted "Do Pass" by the Standing Committee on Rules-Legislative Oversight by a vote of 9 to 0.

This bill makes changes relating to professional licensing.

PROFESSIONAL REGISTRATION

This bill establishes regulations and registration requirements for professional employer organizations (PEOs). The bill requires all PEOs to be registered with the Secretary of State. Registration of PEOs may be done individually or as a group. At the time of registration, and every year thereafter, the PEO or PEO group must file with the Secretary of State an audit performed by an independent certified public accountant. A PEO may be eligible for limited registration if it meets certain requirements.

The Secretary of State shall maintain a list of PEOs registered in this state. PEOs shall pay an initial registration fee not to exceed \$500 with an annual renewal fee not to exceed \$250. However, no fee shall exceed the amount reasonably necessary for the administration of the bill.

Each PEO or PEO group shall maintain either positive working capital or provide a bond, irrevocable letter of credit, or securities with a minimum market value equaling the deficiency plus \$100,000 to the department. PEOs seeking limited registration are not required to meet these requirements.

The bill establishes the conditions under which a client and a PEO may enter into a professional employment agreement as well as the rights and responsibilities of each party.

Persons may be sanctioned by the Secretary of State for providing professional employer services without registering with the Secretary of State, or for providing false or fraudulent information to the Secretary of State in conjunction with any registration, renewal, or report required by this bill. Such sanctions may include revocation of license or the imposition of an administrative penalty of not more than \$1,000, among other potential penalties.

This bill provides that a client shall be entitled to the benefit of any tax credit, economic incentive, or other benefit arising as

the result of the employment of covered employees of such client. The client's status or certification as a minority-owned or woman-owned business enterprise shall not be affected because such client has entered into an agreement with a PEO or uses the services of a PEO. The PEO shall be responsible for providing workers' compensation coverage for covered employees (Sections 285.700, 285.705, 285.710, 285.715, 285.720, 285.725, 285.730, 285.740, and 85.750).

This bill prohibits any state board, department, or agency that issues professional licenses from denying a license based on age, to any person 18 years old or older. Except for licenses associated with gaming and licenses for individuals who operate a school bus owned by or under contract with a public school or the State Board of Education, who transports hazardous material, or who uses explosives.

This bill adds psychiatric physician assistants, psychiatric advanced practice registered nurses, and psychiatric assistant physicians to the definition of mental health professionals for the purposes of Chapter 631, RSMo. The bill defines a psychiatric assistant physician as a licensed assistant physician under Chapter 334 who has had at least two years of experience as an assistant physician in providing psychiatric treatment to individuals suffering from mental health disorders and a psychiatric physician assistant as a licensed physician assistant under Chapter 334 and who has had at least two years of experience as a physician assistant in providing psychiatric treatment to individuals suffering from mental health disorders or is a graduate of a postgraduate residency or fellowship for physician assistants in psychiatry or is currently in a postgraduate physician assistant residency or fellowship in psychiatry (Sections 324.013, 324.920, 324.1108, 327.221, 327.312, 330.030, 331.030, 332.131, 334.530, 334.655, 336.030, 341.170, 344.030, 374.715, 374.784, and 632.005).

These provisions are the same as HB 1719 as perfected (2018).

OCCUPATIONAL FEES

This bill requires all state and local licensing boards or entities to waive, for a two-year period, any fees charged to obtain or renew occupational licenses for military families and low-income individuals who request such a waiver (Section 324.015).

This provision is similar to HCS HB 1261 (2018).

SUICIDE PREVENTION TRAINING

Any health care professional in the state may annually complete

training in the areas of suicide assessment, referral, treatment, and management, which may qualify as part of the continuing education requirements for licensure as a health care professional. Psychologists are required to complete two hours of such training as a condition of initial licensure. The bill also requires behavior analysts, professional counselors, social workers, baccalaureate social workers, and marital and family therapists to complete two hours of suicide assessment, referral, treatment, and management training as a condition of initial licensure and as a condition of license renewal. The training shall count toward any continuing education required for such license (Sections 324.046, 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718).

These provisions are similar to HB 1419 (2018), SS SB 490 (2017) and to provisions contained in SCS HB 815 (2017).

PROPOSERS: Supporters say that the underlying bill is about preventing suicide. Supporters are concerned that Missouri has the 16th highest suicide rate in the United States and want to ensure that more health professionals obtain suicide prevention training.

Testifying for the bill were Senator Schupp; Missouri Coalition Of Children's Agencies; Missouri Psychological Association; and Kevin Drollinger, Provident Inc.

OPPOSERS: There was no opposition voiced to the committee.