

FIRST REGULAR SESSION

HOUSE BILL NO. 301

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHROER.

0865H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 335.046, 335.051, 335.056, 335.076, and 335.086, RSMo, and to enact in lieu thereof five new sections relating to advanced practice registered nurses.

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

Section A. Sections 335.046, 335.051, 335.056, 335.076, and 335.086, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 335.046, 335.051, 335.056, 335.076, and 335.086, to read as follows:

335.046. 1. An applicant for a license to practice as a registered professional nurse shall submit to the board a written application on forms furnished to the applicant. The original application shall contain the applicant's statements showing the applicant's education and other such pertinent information as the board may require. The applicant shall be of good moral character and have completed at least the high school course of study, or the equivalent thereof as determined by the state board of education, and have successfully completed the basic professional curriculum in an accredited or approved school of nursing and earned a professional nursing degree or diploma. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration. Applicants from non-English-speaking lands shall be required to submit evidence of proficiency in the English language. The applicant must be approved by the board and shall pass an examination as required by the board. The board may require by rule as a requirement for licensure that each applicant shall pass an oral or practical examination. Upon successfully passing the examination, the board may issue to the applicant a license to practice nursing as a registered professional nurse. The applicant for a license to practice registered professional

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.

17 nursing shall pay a license fee in such amount as set by the board. The fee shall be uniform for
18 all applicants. Applicants from foreign countries shall be licensed as prescribed by rule.

19 2. An applicant for license to practice as a licensed practical nurse shall submit to the
20 board a written application on forms furnished to the applicant. The original application shall
21 contain the applicant's statements showing the applicant's education and other such pertinent
22 information as the board may require. Such applicant shall be of good moral character, and have
23 completed at least two years of high school, or its equivalent as established by the state board of
24 education, and have successfully completed a basic prescribed curriculum in a state-accredited
25 or approved school of nursing, earned a nursing degree, certificate or diploma and completed a
26 course approved by the board on the role of the practical nurse. Each application shall contain
27 a statement that it is made under oath or affirmation and that its representations are true and
28 correct to the best knowledge and belief of the person signing same, subject to the penalties of
29 making a false affidavit or declaration. Applicants from non-English-speaking countries shall
30 be required to submit evidence of their proficiency in the English language. The applicant must
31 be approved by the board and shall pass an examination as required by the board. The board may
32 require by rule as a requirement for licensure that each applicant shall pass an oral or practical
33 examination. Upon successfully passing the examination, the board may issue to the applicant
34 a license to practice as a licensed practical nurse. The applicant for a license to practice licensed
35 practical nursing shall pay a fee in such amount as may be set by the board. The fee shall be
36 uniform for all applicants. Applicants from foreign countries shall be licensed as prescribed by
37 rule.

38 3. **(1) An applicant for initial licensure to practice as an advanced practice**
39 **registered nurse shall submit a completed application and fee as established by the board.**
40 **The application shall contain:**

41 **(a) Statements showing the applicant's education and other such pertinent**
42 **information as the board may require; and**

43 **(b) A statement that it is made under oath or affirmation and that its**
44 **representations are true and correct to the best knowledge and belief of the person signing**
45 **same, subject to the penalties of making a false affidavit or declaration.**

46 **(2) The applicant for a license to practice as an advanced practice registered nurse**
47 **shall pay a fee in such amount as may be set by the board. The fee shall be uniform for all**
48 **applicants.**

49 **(3) An applicant shall:**

50 **(a) Hold a current registered professional nurse license or privilege to practice and**
51 **shall not hold a license or privilege to practice currently under discipline or under any**

52 **restrictions as a registered professional nurse or advanced practice registered nurse in any**
53 **state or territory;**

54 **(b) Have completed an accredited graduate or postgraduate level advanced practice**
55 **registered nurse program in one of the four recognized roles;**

56 **(c) Be currently certified by a national certifying body recognized by the Missouri**
57 **state board of nursing in the advanced practice registered nurse role; and**

58 **(d) Provide other documentation as prescribed by rule.**

59 **(4) Any person holding a document of recognition to practice nursing as an**
60 **advanced practice registered nurse in this state that is current on August 28, 2019, shall**
61 **be deemed to be licensed as an advanced practice registered nurse under the provisions of**
62 **this section and shall be eligible for renewal of such license under the conditions and**
63 **standards prescribed in this chapter and as prescribed by rule.**

64 **4. In considering applications for licensure, the board may require a personal**
65 **appearance of the applicant. If the applicant is required to appear, the time period in**
66 **which a licensure application shall be granted or denied shall be tolled until such time as**
67 **the applicant appears and the board issues its determination in writing. If the applicant**
68 **fails to appear at either of the next two regularly scheduled board meetings, the application**
69 **for licensure shall be denied.**

70 **5. Upon refusal of the board to allow any applicant to ~~sit for~~ take either the registered**
71 **professional nurses' examination or the licensed practical nurses' examination, ~~as the case may~~**
72 **~~be,~~ or upon refusal to issue an advanced practice registered nurse license, the board shall**
73 **comply with the provisions of section 621.120 and advise the applicant of his or her right to have**
74 **a hearing before the administrative hearing commission. The administrative hearing commission**
75 **shall hear complaints taken pursuant to section 621.120.**

76 **[4-] 6. The board shall not deny a license because of sex, religion, race, ethnic origin, age**
77 **or political affiliation.**

335.051. 1. The board shall issue a license to practice nursing as either a registered
2 professional nurse or a licensed practical nurse without examination to an applicant who has duly
3 become licensed as a registered nurse or licensed practical nurse pursuant to the laws of another
4 state, territory, or foreign country if the applicant meets the qualifications required of registered
5 nurses or licensed practical nurses in this state at the time the applicant was originally licensed
6 in the other state, territory, or foreign country.

7 2. Applicants from foreign countries shall be licensed as prescribed by rule.

8 3. Upon application, the board shall issue a temporary permit to an applicant pursuant
9 to subsection 1 of this section for a license as either a registered professional nurse or a licensed
10 practical nurse who has made a prima facie showing that the applicant meets all of the

11 requirements for such a license. The temporary permit shall be effective only until the board
12 shall have had the opportunity to investigate his **or her** qualifications for licensure pursuant to
13 subsection 1 of this section and to notify the applicant that his or her application for a license has
14 been either granted or rejected. In no event shall such temporary permit be in effect for more
15 than twelve months after the date of its issuance nor shall a permit be reissued to the same
16 applicant. No fee shall be charged for such temporary permit. The holder of a temporary permit
17 which has not expired, or been suspended or revoked, shall be deemed to be the holder of a
18 license issued pursuant to section 335.046 until such temporary permit expires, is terminated or
19 is suspended or revoked.

20 **4. The board may issue a license by endorsement to an advanced practice registered**
21 **nurse licensed under the laws of another state if, in the opinion of the board, the applicant**
22 **meets the qualifications for licensure in this jurisdiction.**

335.056. 1. The license of every person licensed under the provisions of [~~sections~~
2 ~~335.011 to 335.096~~] **this chapter** shall be renewed as provided. An application for renewal of
3 license shall be mailed to every person to whom a license was issued or renewed during the
4 current licensing period. The applicant shall complete the application and return it to the board
5 by the renewal date with a renewal fee in an amount to be set by the board. The fee shall be
6 uniform for all applicants. The certificates of renewal shall render the holder thereof a legal
7 practitioner of nursing for the period stated in the certificate of renewal. Any person who
8 practices nursing as **an advanced practice registered nurse**, a registered professional nurse, or
9 [~~as~~] a licensed practical nurse during the time his **or her** license has lapsed shall be considered
10 an illegal practitioner and shall be subject to the penalties provided for violation of the provisions
11 of sections 335.011 to [~~335.096~~] **335.099**.

12 **2. A licensee's advanced practice registered nursing license and his or her**
13 **professional nursing license shall be treated as one license for the purpose of renewal and**
14 **assessment of renewal fees.**

15 **3. In order to renew an advanced practice registered nurse license, the advanced**
16 **practice registered nurse shall maintain certification in the appropriate advanced practice**
17 **registered nurse role through an ongoing certification maintenance program of a nationally**
18 **recognized certifying body recognized by the board and meet other requirements as**
19 **prescribed by rule.**

335.076. 1. Any person who holds a license to practice professional nursing in this state
2 may use the title "Registered Professional Nurse" and the abbreviation "R.N.". No other person
3 shall use the title "Registered Professional Nurse" or the abbreviation "R.N.". No other person
4 shall assume any title or use any abbreviation or any other words, letters, signs, or devices to
5 indicate that the person using the same is a registered professional nurse.

6 2. Any person who holds a license to practice practical nursing in this state may use the
7 title "Licensed Practical Nurse" and the abbreviation [~~"L.P.N."~~] "LPN". No other person shall
8 use the title "Licensed Practical Nurse" or the abbreviation [~~"L.P.N."~~] "LPN". No other person
9 shall assume any title or use any abbreviation or any other words, letters, signs, or devices to
10 indicate that the person using the same is a licensed practical nurse.

11 3. Any person who holds a license [~~or recognition~~] to practice advanced practice nursing
12 in this state may use the title "Advanced Practice Registered Nurse", **the designations of**
13 **"certified registered nurse anesthetist", "certified nurse midwife", "certified clinical nurse**
14 **specialist", and "certified nurse practitioner"**, and the [~~abbreviation~~] **abbreviations** "APRN",
15 [~~and any other title designations appearing on his or her license~~] "CRNA", "CNM", "CNS",
16 **and "NP", respectively**. No other person shall use the title "Advanced Practice Registered
17 Nurse" or the abbreviation "APRN". No other person shall assume any title or use any
18 abbreviation or any other words, letters, signs, or devices to indicate that the person using the
19 same is an advanced practice registered nurse.

20 4. No person shall practice or offer to practice professional nursing, practical nursing,
21 or advanced practice nursing in this state or use any title, sign, abbreviation, card, or device to
22 indicate that such person is a practicing professional nurse, practical nurse, or advanced practice
23 nurse unless he or she has been duly licensed under the provisions of this chapter.

24 5. In the interest of public safety and consumer awareness, it is unlawful for any person
25 to use the title "nurse" in reference to himself or herself in any capacity, except individuals who
26 are or have been licensed as a registered nurse, licensed practical nurse, or advanced practice
27 registered nurse under this chapter.

28 6. Notwithstanding any law to the contrary, nothing in this chapter shall prohibit a
29 Christian Science nurse from using the title "Christian Science nurse", so long as such person
30 provides only religious nonmedical services when offering or providing such services to those
31 who choose to rely upon healing by spiritual means alone and does not hold his or her own
32 religious organization and does not hold himself or herself out as a registered nurse, advanced
33 practice registered nurse, nurse practitioner, licensed practical nurse, nurse midwife, clinical
34 nurse specialist, or nurse anesthetist, unless otherwise authorized by law to do so.

335.086. No person, firm, corporation or association shall:

2 (1) Sell or attempt to sell or fraudulently obtain or furnish or attempt to furnish any
3 nursing diploma, license, renewal or record or aid or abet therein;

4 (2) Practice [~~professional or practical~~] nursing as defined by sections 335.011 to
5 [~~335.096~~] **335.099** under cover of any diploma, license, or record illegally or fraudulently
6 obtained or signed or issued unlawfully or under fraudulent representation;

7 (3) Practice [~~professional nursing or practical~~] nursing as defined by sections 335.011
8 to [~~335.096~~] **335.099** unless duly licensed to do so under the provisions of sections 335.011 to
9 [~~335.096~~] **335.099**;

10 (4) Use in connection with his **or her** name any designation tending to imply that he **or**
11 **she** is a licensed **advanced practice registered nurse, a licensed** registered professional nurse,
12 or a licensed practical nurse unless duly licensed so to practice under the provisions of sections
13 335.011 to [~~335.096~~] **335.099**;

14 (5) Practice [~~professional nursing or practical~~] nursing during the time his license issued
15 under the provisions of sections 335.011 to [~~335.096~~] **335.099** shall be suspended or revoked;
16 or

17 (6) Conduct a nursing education program for the preparation of professional or practical
18 nurses unless the program has been accredited by the board.

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