

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 301**  
**100TH GENERAL ASSEMBLY**

0865H.03C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

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

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*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  
2 repealed and six new sections enacted in lieu thereof, to be known as sections 335.046, 335.047,  
3 335.051, 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  
2 submit to the board a written application on forms furnished to the applicant. The original  
3 application shall contain the applicant's statements showing the applicant's education and other  
4 such pertinent information as the board may require. The applicant shall be of good moral  
5 character and have completed at least the high school course of study, or the equivalent thereof  
6 as determined by the state board of education, and have successfully completed the basic  
7 professional curriculum in an accredited or approved school of nursing and earned a professional  
8 nursing degree or diploma. Each application shall contain a statement that it is made under oath  
9 or affirmation and that its representations are true and correct to the best knowledge and belief  
10 of the person signing same, subject to the penalties of making a false affidavit or declaration.  
11 Applicants from non-English-speaking lands shall be required to submit evidence of proficiency  
12 in the English language. The applicant must be approved by the board and shall pass an  
13 examination as required by the board. The board may require by rule as a requirement for  
14 licensure that each applicant shall pass an oral or practical examination. Upon successfully  
15 passing the examination, the board may issue to the applicant a license to practice nursing as a  
16 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 following recognized roles:

56 a. Certified nurse practitioner;

57 b. Certified nurse midwife;

58 c. Clinical nurse specialist; or

59 d. Certified registered nurse anesthetist;

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

62 (d) Provide other documentation as prescribed by rule.

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

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

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

80 [4-] 6. The board shall not deny a license because of sex, religion, race, ethnic origin, age  
81 or political affiliation.

335.047. 1. The licensure of advanced practice registered nurses shall take place  
2 within processes established by rules of the state board of nursing. The state board of  
3 nursing is hereby directed to promulgate rules under chapter 536 establishing licensing  
4 and renewal procedures, scope of practice guidelines, and licensing fees, and address such  
5 other matters pertaining to advanced practice registered nurses that are necessary to  
6 protect the public and discipline the profession. An application for licensure may be

7 **denied or the licensure of an advanced practice registered nurse may be suspended or**  
8 **revoked by the board in the same manner and for violation of the standards as set forth**  
9 **by section 335.066, or such other standards of conduct set by the board by rule.**

10 **2. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
11 **created under the authority delegated in this section shall become effective only if it**  
12 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
13 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
14 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**  
15 **date or to disapprove and annul a rule are subsequently held unconstitutional, then the**  
16 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,**  
17 **shall be invalid and void.**

18 **3. Notwithstanding any other provision of law, the collaborative practice**  
19 **arrangement, which shall meet the requirements of section 334.104, shall specify the**  
20 **services an advanced practice registered nurse may provide pursuant to the arrangement.**  
21 **The arrangement may be more limiting in scope than the scope of practice defined by the**  
22 **state board of nursing. Nothing in this section shall prohibit a certified registered nurse**  
23 **anesthetist, as defined in section 335.016, from providing anesthesia services without a**  
24 **collaborative practice arrangement, provided that he or she is under the supervision of an**  
25 **anesthesiologist or other physician, dentist, or podiatrist who is immediately available if**  
26 **needed, pursuant to subsection 7 of section 334.104.**

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, provided that any such advanced**  
23 **practice registered nurse shall practice pursuant to all scope of practice laws in this state.**  
24 **Any advanced practice registered nurse licensed by this subsection shall practice in**  
25 **accordance with the laws of this state.**

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,**  
14 **discipline, and 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 his or her 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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