

HOUSE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NOS. 673 & 560

AN ACT

1
2
3 To repeal sections 105.470, 190.094, 190.100, 190.105,
4 190.143, 190.196, 324.009, 332.181, 332.261, 334.036,
5 334.075, 334.150, 334.507, 336.080, 337.020, 337.029,
6 337.050, 436.218, 436.224, 436.227, 436.230, 436.236,
7 436.242, 436.245, 436.248, 436.254, 436.257, 436.260,
8 436.263, and 436.266, RSMo, and section 324.009 as
9 enacted by house committee substitute for house bill
10 nos. 1511 & 1452, one hundredth general assembly,
11 second regular session, and to enact in lieu thereof
12 forty-three new sections relating to professional
13 registration, with penalty provisions.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
17 AS FOLLOWS:

18
19 Section A. Sections 105.470, 190.094, 190.100, 190.105,
20 190.143, 190.196, 324.009, 332.181, 332.261, 334.036, 334.075,
21 334.150, 334.507, 336.080, 337.020, 337.029, 337.050, 436.218,
22 436.224, 436.227, 436.230, 436.236, 436.242, 436.245, 436.248,
23 436.254, 436.257, 436.260, 436.263, and 436.266, RSMo, and
24 section 324.009 as enacted by house committee substitute for
25 house bill nos. 1511 & 1452, one hundredth general assembly,
26 second regular session, are repealed and forty-three new sections
27 enacted in lieu thereof, to be known as sections 105.470,
28 190.094, 190.100, 190.105, 190.143, 190.196, 324.009, 324.035,
29 324.950, 324.953, 324.956, 324.959, 324.962, 324.965, 324.968,

1 324.971, 324.977, 324.980, 324.983, 332.181, 332.261, 334.036,
2 334.075, 334.150, 334.507, 334.1000, 334.1005, 336.080, 337.020,
3 337.029, 337.050, 436.218, 436.224, 436.227, 436.230, 436.236,
4 436.242, 436.245, 436.248, 436.254, 436.260, 436.263, and
5 436.266, to read as follows:

6 105.470. As used in section 105.473, unless the context
7 requires otherwise, the following words and terms mean:

8 (1) "Elected local government official lobbyist", any
9 natural person employed specifically for the purpose of
10 attempting to influence any action by a local government official
11 elected in a county, city, town, or village with an annual
12 operating budget of over ten million dollars;

13 (2) "Executive lobbyist", any natural person who acts for
14 the purpose of attempting to influence any action by the
15 executive branch of government or by any elected or appointed
16 official, employee, department, division, agency or board or
17 commission thereof and in connection with such activity, meets
18 the requirements of any one or more of the following:

19 (a) Is acting in the ordinary course of employment on
20 behalf of or for the benefit of such person's employer; or

21 (b) Is engaged for pay or for any valuable consideration
22 for the purpose of performing such activity; or

23 (c) Is designated to act as a lobbyist by any person,
24 business entity, governmental entity, religious organization,
25 nonprofit corporation, association or other entity; or

26 (d) Makes total expenditures of fifty dollars or more
27 during the twelve-month period beginning January first and ending

1 December thirty-first for the benefit of one or more public
2 officials or one or more employees of the executive branch of
3 state government in connection with such activity.

4 An "executive lobbyist" shall not include a member of the general
5 assembly, an elected state official, or any other person solely
6 due to such person's participation in any of the following
7 activities:

8 a. Appearing or inquiring in regard to a complaint,
9 citation, summons, adversary proceeding, or contested case before
10 a state board, commission, department, division or agency of the
11 executive branch of government or any elected or appointed
12 officer or employee thereof;

13 b. Preparing, filing or inquiring, or responding to any
14 audit, regarding any tax return, any public document, permit or
15 contract, any application for any permit or license or
16 certificate, or any document required or requested to be filed
17 with the state or a political subdivision;

18 c. Selling of goods or services to be paid for by public
19 funds, provided that such person is attempting to influence only
20 the person authorized to authorize or enter into a contract to
21 purchase the goods or services being offered for sale;

22 d. Participating in public hearings or public proceedings
23 on rules, grants, or other matters;

24 e. Responding to any request for information made by any
25 public official or employee of the executive branch of
26 government;

27 f. Preparing or publication of an editorial, a newsletter,

1 newspaper, magazine, radio or television broadcast, or similar
2 news medium, whether print or electronic;

3 g. Acting within the scope of employment by the general
4 assembly, or acting within the scope of employment by the
5 executive branch of government when acting with respect to the
6 department, division, board, commission, agency or elected state
7 officer by which such person is employed, or with respect to any
8 duty or authority imposed by law to perform any action in
9 conjunction with any other public official or state employee; or

10 h. Testifying as a witness before a state board, commission
11 or agency of the executive branch;

12 (3) "Expenditure", any payment made or charge, expense,
13 cost, debt or bill incurred; any gift, honorarium or item of
14 value bestowed including any food or beverage; any price, charge
15 or fee which is waived, forgiven, reduced or indefinitely
16 delayed; any loan or debt which is cancelled, reduced or
17 otherwise forgiven; the transfer of any item with a reasonably
18 discernible cost or fair market value from one person to another
19 or provision of any service or granting of any opportunity for
20 which a charge is customarily made, without charge or for a
21 reduced charge; except that the term "expenditure" shall not
22 include the following:

23 (a) Any item, service or thing of value transferred to any
24 person within the third degree of consanguinity of the transferor
25 which is unrelated to any activity of the transferor as a
26 lobbyist;

27 (b) Informational material such as books, reports,

1 pamphlets, calendars or periodicals informing a public official
2 regarding such person's official duties, or souvenirs or mementos
3 valued at less than ten dollars;

4 (c) Contributions to the public official's campaign
5 committee or candidate committee which are reported pursuant to
6 the provisions of chapter 130;

7 (d) Any loan made or other credit accommodations granted or
8 other payments made by any person or entity which extends credit
9 or makes loan accommodations or such payments in the regular
10 ordinary scope and course of business, provided that such are
11 extended, made or granted in the ordinary course of such person's
12 or entity's business to persons who are not public officials;

13 (e) Any item, service or thing of de minimis value offered
14 to the general public, whether or not the recipient is a public
15 official or a staff member, employee, spouse or dependent child
16 of a public official, and only if the grant of the item, service
17 or thing of de minimis value is not motivated in any way by the
18 recipient's status as a public official or staff member,
19 employee, spouse or dependent child of a public official;

20 (f) The transfer of any item, provision of any service or
21 granting of any opportunity with a reasonably discernible cost or
22 fair market value when such item, service or opportunity is
23 necessary for a public official or employee to perform his or her
24 duty in his or her official capacity, including but not limited
25 to entrance fees to any sporting event, museum, or other venue
26 when the official or employee is participating in a ceremony,
27 public presentation or official meeting therein;

1 (g) Any payment, gift, compensation, fee, expenditure or
2 anything of value which is bestowed upon or given to any public
3 official or a staff member, employee, spouse or dependent child
4 of a public official when it is compensation for employment or
5 given as an employment benefit and when such employment is in
6 addition to their employment as a public official;

7 (4) "Judicial lobbyist", any natural person who acts for
8 the purpose of attempting to influence any purchasing decision by
9 the judicial branch of government or by any elected or appointed
10 official or any employee thereof and in connection with such
11 activity, meets the requirements of any one or more of the
12 following:

13 (a) Is acting in the ordinary course of employment which
14 primary purpose is to influence the judiciary in its purchasing
15 decisions on a regular basis on behalf of or for the benefit of
16 such person's employer, except that this shall not apply to any
17 person who engages in lobbying on an occasional basis only and
18 not as a regular pattern of conduct; or

19 (b) Is engaged for pay or for any valuable consideration
20 for the purpose of performing such activity; or

21 (c) Is designated to act as a lobbyist by any person,
22 business entity, governmental entity, religious organization,
23 nonprofit corporation or association; or

24 (d) Makes total expenditures of fifty dollars or more
25 during the twelve-month period beginning January first and ending
26 December thirty-first for the benefit of one or more public
27 officials or one or more employees of the judicial branch of

1 state government in connection with attempting to influence such
2 purchasing decisions by the judiciary.

3 A "judicial lobbyist" shall not include a member of the general
4 assembly, an elected state official, or any other person solely
5 due to such person's participation in any of the following
6 activities:

7 a. Appearing or inquiring in regard to a complaint,
8 citation, summons, adversary proceeding, or contested case before
9 a state court;

10 b. Participating in public hearings or public proceedings
11 on rules, grants, or other matters;

12 c. Responding to any request for information made by any
13 judge or employee of the judicial branch of government;

14 d. Preparing, distributing or publication of an editorial,
15 a newsletter, newspaper, magazine, radio or television broadcast,
16 or similar news medium, whether print or electronic; or

17 e. Acting within the scope of employment by the general
18 assembly, or acting within the scope of employment by the
19 executive branch of government when acting with respect to the
20 department, division, board, commission, agency or elected state
21 officer by which such person is employed, or with respect to any
22 duty or authority imposed by law to perform any action in
23 conjunction with any other public official or state employee;

24 (5) "Legislative lobbyist", any natural person who acts for
25 the purpose of attempting to influence the taking, passage,
26 amendment, delay or defeat of any official action on any bill,
27 resolution, amendment, nomination, appointment, report or any

1 other action or any other matter pending or proposed in a
2 legislative committee in either house of the general assembly, or
3 in any matter which may be the subject of action by the general
4 assembly and in connection with such activity, meets the
5 requirements of any one or more of the following:

6 (a) Is acting in the ordinary course of employment, which
7 primary purpose is to influence legislation on a regular basis,
8 on behalf of or for the benefit of such person's employer, except
9 that this shall not apply to any person who engages in lobbying
10 on an occasional basis only and not as a regular pattern of
11 conduct; or

12 (b) Is engaged for pay or for any valuable consideration
13 for the purpose of performing such activity; or

14 (c) Is designated to act as a lobbyist by any person,
15 business entity, governmental entity, religious organization,
16 nonprofit corporation, association or other entity; or

17 (d) Makes total expenditures of fifty dollars or more
18 during the twelve-month period beginning January first and ending
19 December thirty-first for the benefit of one or more public
20 officials or one or more employees of the legislative branch of
21 state government in connection with such activity.

22 A "legislative lobbyist" shall include an attorney at law engaged
23 in activities on behalf of any person unless excluded by any of
24 the following exceptions. A "legislative lobbyist" shall not
25 include any legislative liaison. For purposes of this
26 subdivision, "legislative liaison" means any state employee hired
27 to communicate with members of the general assembly on behalf of

1 any elected official of the state; the judicial branch of state
2 government; or any department, agency, board, or commission of
3 the state, provided such entity is a part of the executive branch
4 of state government. Any state employee employed as a
5 legislative liaison who performs lobbying services for any other
6 entity shall register as a lobbyist with respect to such lobbying
7 services. A "legislative lobbyist" shall also not include any
8 member of the general assembly, an elected state official, or any
9 other person solely due to such person's participation in any of
10 the following activities:

11 a. Responding to any request for information made by any
12 public official or employee of the legislative branch of
13 government;

14 b. Preparing or publication of an editorial, a newsletter,
15 newspaper, magazine, radio or television broadcast, or similar
16 news medium, whether print or electronic;

17 c. Acting within the scope of employment of the legislative
18 branch of government when acting with respect to the general
19 assembly or any member thereof;

20 d. Testifying as a witness before the general assembly or
21 any committee thereof;

22 (6) "Lobbyist", any natural person defined as an executive
23 lobbyist, judicial lobbyist, elected local government official
24 lobbyist, or a legislative lobbyist;

25 (7) "Lobbyist principal", any person, business entity,
26 governmental entity, religious organization, nonprofit
27 corporation or association who employs, contracts for pay or

1 otherwise compensates a lobbyist;

2 (8) "Public official", any member or member-elect of the
3 general assembly, judge or judicial officer, or any other person
4 holding an elective office of state government or any agency
5 head, department director or division director of state
6 government or any member of any state board or commission and any
7 designated decision-making public servant designated by persons
8 described in this subdivision.

9 190.094. 1. Any ambulance licensed in this state, when
10 used as an ambulance and staffed with volunteer staff, shall be
11 staffed with a minimum of one emergency medical technician and
12 one other crew member who may be a licensed emergency medical
13 technician, registered nurse, physician assistant, assistant
14 physician, physician, or someone who has an emergency medical
15 responder certification.

16 2. When transporting a patient, at least one licensed
17 emergency medical technician, registered nurse, physician
18 assistant, assistant physician, or physician shall be in
19 attendance with the patient in the patient compartment at all
20 times.

21 3. For purposes of this section, "volunteer" shall mean an
22 individual who performs hours of service without promise,
23 expectation or receipt of compensation for services rendered.
24 Compensation such as a nominal stipend per call to compensate for
25 fuel, uniforms, and training shall not nullify the volunteer
26 status.

27 190.100. As used in sections 190.001 to 190.245, the

1 following words and terms mean:

2 (1) "Advanced emergency medical technician" or "AEMT", a
3 person who has successfully completed a course of instruction in
4 certain aspects of advanced life support care as prescribed by
5 the department and is licensed by the department in accordance
6 with sections 190.001 to 190.245 and rules and regulations
7 adopted by the department pursuant to sections 190.001 to
8 190.245;

9 (2) "Advanced life support (ALS)", an advanced level of
10 care as provided to the adult and pediatric patient such as
11 defined by national curricula, and any modifications to that
12 curricula specified in rules adopted by the department pursuant
13 to sections 190.001 to 190.245;

14 (3) "Ambulance", any privately or publicly owned vehicle or
15 craft that is specially designed, constructed or modified,
16 staffed or equipped for, and is intended or used, maintained or
17 operated for the transportation of persons who are sick, injured,
18 wounded or otherwise incapacitated or helpless, or who require
19 the presence of medical equipment being used on such individuals,
20 but the term does not include any motor vehicle specially
21 designed, constructed or converted for the regular transportation
22 of persons who are disabled, handicapped, normally using a
23 wheelchair, or otherwise not acutely ill, or emergency vehicles
24 used within airports;

25 (4) "Ambulance service", a person or entity that provides
26 emergency or nonemergency ambulance transportation and services,
27 or both, in compliance with sections 190.001 to 190.245, and the

1 rules promulgated by the department pursuant to sections 190.001
2 to 190.245;

3 (5) "Ambulance service area", a specific geographic area in
4 which an ambulance service has been authorized to operate;

5 (6) "Basic life support (BLS)", a basic level of care, as
6 provided to the adult and pediatric patient as defined by
7 national curricula, and any modifications to that curricula
8 specified in rules adopted by the department pursuant to sections
9 190.001 to 190.245;

10 (7) "Council", the state advisory council on emergency
11 medical services;

12 (8) "Department", the department of health and senior
13 services, state of Missouri;

14 (9) "Director", the director of the department of health
15 and senior services or the director's duly authorized
16 representative;

17 (10) "Dispatch agency", any person or organization that
18 receives requests for emergency medical services from the public,
19 by telephone or other means, and is responsible for dispatching
20 emergency medical services;

21 (11) "Emergency", the sudden and, at the time, unexpected
22 onset of a health condition that manifests itself by symptoms of
23 sufficient severity that would lead a prudent layperson,
24 possessing an average knowledge of health and medicine, to
25 believe that the absence of immediate medical care could result
26 in:

27 (a) Placing the person's health, or with respect to a

1 pregnant woman, the health of the woman or her unborn child, in
2 significant jeopardy;

3 (b) Serious impairment to a bodily function;

4 (c) Serious dysfunction of any bodily organ or part;

5 (d) Inadequately controlled pain;

6 (12) "Emergency medical dispatcher", a person who receives
7 emergency calls from the public and has successfully completed an
8 emergency medical dispatcher course, meeting or exceeding the
9 national curriculum of the United States Department of
10 Transportation and any modifications to such curricula specified
11 by the department through rules adopted pursuant to sections
12 190.001 to 190.245;

13 (13) "Emergency medical responder", a person who has
14 successfully completed an emergency first response course meeting
15 or exceeding the national curriculum of the U.S. Department of
16 Transportation and any modifications to such curricula specified
17 by the department through rules adopted under sections 190.001 to
18 190.245 and who provides emergency medical care through
19 employment by or in association with an emergency medical
20 response agency;

21 (14) "Emergency medical response agency", any person that
22 regularly provides a level of care that includes first response,
23 basic life support or advanced life support, exclusive of patient
24 transportation;

25 (15) "Emergency medical services for children (EMS-C)
26 system", the arrangement of personnel, facilities and equipment
27 for effective and coordinated delivery of pediatric emergency

1 medical services required in prevention and management of
2 incidents which occur as a result of a medical emergency or of an
3 injury event, natural disaster or similar situation;

4 (16) "Emergency medical services (EMS) system", the
5 arrangement of personnel, facilities and equipment for the
6 effective and coordinated delivery of emergency medical services
7 required in prevention and management of incidents occurring as a
8 result of an illness, injury, natural disaster or similar
9 situation;

10 (17) "Emergency medical technician", a person licensed in
11 emergency medical care in accordance with standards prescribed by
12 sections 190.001 to 190.245, and by rules adopted by the
13 department pursuant to sections 190.001 to 190.245;

14 (18) "Emergency medical technician-basic" or "EMT-B", a
15 person who has successfully completed a course of instruction in
16 basic life support as prescribed by the department and is
17 licensed by the department in accordance with standards
18 prescribed by sections 190.001 to 190.245 and rules adopted by
19 the department pursuant to sections 190.001 to 190.245;

20 (19) "Emergency medical technician-community paramedic",
21 "community paramedic", or "EMT-CP", a person who is certified as
22 an emergency medical technician-paramedic and is certified by the
23 department in accordance with standards prescribed in section
24 190.098;

25 (20) "Emergency medical technician-paramedic" or "EMT-P", a
26 person who has successfully completed a course of instruction in
27 advanced life support care as prescribed by the department and is

1 licensed by the department in accordance with sections 190.001 to
2 190.245 and rules adopted by the department pursuant to sections
3 190.001 to 190.245;

4 (21) "Emergency services", health care items and services
5 furnished or required to screen and stabilize an emergency which
6 may include, but shall not be limited to, health care services
7 that are provided in a licensed hospital's emergency facility by
8 an appropriate provider or by an ambulance service or emergency
9 medical response agency;

10 (22) "Health care facility", a hospital, nursing home,
11 physician's office or other fixed location at which medical and
12 health care services are performed;

13 (23) "Hospital", an establishment as defined in the
14 hospital licensing law, subsection 2 of section 197.020, or a
15 hospital operated by the state;

16 (24) "Medical control", supervision provided by or under
17 the direction of physicians, or their designated registered
18 nurse, including both online medical control, instructions by
19 radio, telephone, or other means of direct communications, and
20 offline medical control through supervision by treatment
21 protocols, case review, training, and standing orders for
22 treatment;

23 (25) "Medical direction", medical guidance and supervision
24 provided by a physician to an emergency services provider or
25 emergency medical services system;

26 (26) "Medical director", a physician licensed pursuant to
27 chapter 334 designated by the ambulance service or emergency

1 medical response agency and who meets criteria specified by the
2 department by rules pursuant to sections 190.001 to 190.245;

3 (27) "Memorandum of understanding", an agreement between an
4 emergency medical response agency or dispatch agency and an
5 ambulance service or services within whose territory the agency
6 operates, in order to coordinate emergency medical services;

7 (28) "Patient", an individual who is sick, injured,
8 wounded, diseased, or otherwise incapacitated or helpless, or
9 dead, excluding deceased individuals being transported from or
10 between private or public institutions, homes or cemeteries, and
11 individuals declared dead prior to the time an ambulance is
12 called for assistance;

13 (29) "Person", as used in these definitions and elsewhere
14 in sections 190.001 to 190.245, any individual, firm,
15 partnership, copartnership, joint venture, association,
16 cooperative organization, corporation, municipal or private, and
17 whether organized for profit or not, state, county, political
18 subdivision, state department, commission, board, bureau or
19 fraternal organization, estate, public trust, business or common
20 law trust, receiver, assignee for the benefit of creditors,
21 trustee or trustee in bankruptcy, or any other service user or
22 provider;

23 (30) "Physician", a person licensed as a physician pursuant
24 to chapter 334;

25 (31) "Political subdivision", any municipality, city,
26 county, city not within a county, ambulance district or fire
27 protection district located in this state which provides or has

1 authority to provide ambulance service;

2 (32) "Professional organization", any organized group or
3 association with an ongoing interest regarding emergency medical
4 services. Such groups and associations could include those
5 representing volunteers, labor, management, firefighters,
6 EMT-B's, nurses, EMT-P's, physicians, communications specialists
7 and instructors. Organizations could also represent the
8 interests of ground ambulance services, air ambulance services,
9 fire service organizations, law enforcement, hospitals, trauma
10 centers, communication centers, pediatric services, labor unions
11 and poison control services;

12 (33) "Proof of financial responsibility", proof of ability
13 to respond to damages for liability, on account of accidents
14 occurring subsequent to the effective date of such proof, arising
15 out of the ownership, maintenance or use of a motor vehicle in
16 the financial amount set in rules promulgated by the department,
17 but in no event less than the statutory minimum required for
18 motor vehicles. Proof of financial responsibility shall be used
19 as proof of self-insurance;

20 (34) "Protocol", a predetermined, written medical care
21 guideline, which may include standing orders;

22 (35) "Regional EMS advisory committee", a committee formed
23 within an emergency medical services (EMS) region to advise
24 ambulance services, the state advisory council on EMS and the
25 department;

26 (36) "Specialty care transportation", the transportation of
27 a patient requiring the services of an emergency medical

1 technician-paramedic who has received additional training beyond
2 the training prescribed by the department. Specialty care
3 transportation services shall be defined in writing in the
4 appropriate local protocols for ground and air ambulance services
5 and approved by the local physician medical director. The
6 protocols shall be maintained by the local ambulance service and
7 shall define the additional training required of the emergency
8 medical technician-paramedic;

9 (37) "Stabilize", with respect to an emergency, the
10 provision of such medical treatment as may be necessary to
11 attempt to assure within reasonable medical probability that no
12 material deterioration of an individual's medical condition is
13 likely to result from or occur during ambulance transportation
14 unless the likely benefits of such transportation outweigh the
15 risks;

16 (38) "State advisory council on emergency medical
17 services", a committee formed to advise the department on policy
18 affecting emergency medical service throughout the state;

19 (39) "State EMS medical directors advisory committee", a
20 subcommittee of the state advisory council on emergency medical
21 services formed to advise the state advisory council on emergency
22 medical services and the department on medical issues;

23 (40) "STEMI" or "ST-elevation myocardial infarction", a
24 type of heart attack in which impaired blood flow to the
25 patient's heart muscle is evidenced by ST-segment elevation in
26 electrocardiogram analysis, and as further defined in rules
27 promulgated by the department under sections 190.001 to 190.250;

1 (41) "STEMI care", includes education and prevention,
2 emergency transport, triage, and acute care and rehabilitative
3 services for STEMI that requires immediate medical or surgical
4 intervention or treatment;

5 (42) "STEMI center", a hospital that is currently
6 designated as such by the department to care for patients with
7 ST-segment elevation myocardial infarctions;

8 (43) "Stroke", a condition of impaired blood flow to a
9 patient's brain as defined by the department;

10 (44) "Stroke care", includes emergency transport, triage,
11 and acute intervention and other acute care services for stroke
12 that potentially require immediate medical or surgical
13 intervention or treatment, and may include education, primary
14 prevention, acute intervention, acute and subacute management,
15 prevention of complications, secondary stroke prevention, and
16 rehabilitative services;

17 (45) "Stroke center", a hospital that is currently
18 designated as such by the department;

19 (46) "Trauma", an injury to human tissues and organs
20 resulting from the transfer of energy from the environment;

21 (47) "Trauma care" includes injury prevention, triage,
22 acute care and rehabilitative services for major single system or
23 multisystem injuries that potentially require immediate medical
24 or surgical intervention or treatment;

25 (48) "Trauma center", a hospital that is currently
26 designated as such by the department.

27 190.105. 1. No person, either as owner, agent or

1 otherwise, shall furnish, operate, conduct, maintain, advertise,
2 or otherwise be engaged in or profess to be engaged in the
3 business or service of the transportation of patients by
4 ambulance in the air, upon the streets, alleys, or any public way
5 or place of the state of Missouri unless such person holds a
6 currently valid license from the department for an ambulance
7 service issued pursuant to the provisions of sections 190.001 to
8 190.245.

9 2. No ground ambulance shall be operated for ambulance
10 purposes, and no individual shall drive, attend or permit it to
11 be operated for such purposes in the state of Missouri unless the
12 ground ambulance is under the immediate supervision and direction
13 of a person who is holding a currently valid Missouri license as
14 an emergency medical technician. Nothing in this section shall
15 be construed to mean that a duly registered nurse, a duly
16 licensed physician assistant, a duly licensed assistant
17 physician, or a duly licensed physician be required to hold an
18 emergency medical technician's license. A physician assistant or
19 assistant physician shall be exempt from any mileage requirement.

20 Each ambulance service is responsible for assuring that any
21 person driving its ambulance is competent in emergency vehicle
22 operations and has a safe driving record. Each ground ambulance
23 shall be staffed with at least two licensed individuals when
24 transporting a patient, except as provided in section 190.094.

25 In emergency situations which require additional medical
26 personnel to assist the patient during transportation, an
27 emergency medical responder, firefighter, or law enforcement

1 personnel with a valid driver's license and prior experience with
2 driving emergency vehicles may drive the ground ambulance
3 provided the ground ambulance service stipulates to this practice
4 in operational policies.

5 3. No license shall be required for an ambulance service,
6 or for the attendant of an ambulance, which:

7 (1) Is rendering assistance in the case of an emergency,
8 major catastrophe or any other unforeseen event or series of
9 events which jeopardizes the ability of the local ambulance
10 service to promptly respond to emergencies; or

11 (2) Is operated from a location or headquarters outside of
12 Missouri in order to transport patients who are picked up beyond
13 the limits of Missouri to locations within or outside of
14 Missouri, but no such outside ambulance shall be used to pick up
15 patients within Missouri for transportation to locations within
16 Missouri, except as provided in subdivision (1) of this
17 subsection.

18 4. The issuance of a license pursuant to the provisions of
19 sections 190.001 to 190.245 shall not be construed so as to
20 authorize any person to provide ambulance services or to operate
21 any ambulances without a franchise in any city not within a
22 county or in a political subdivision in any county with a
23 population of over nine hundred thousand inhabitants, or a
24 franchise, contract or mutual-aid agreement in any other
25 political subdivision which has enacted an ordinance making it
26 unlawful to do so.

27 5. Sections 190.001 to 190.245 shall not preclude the

1 adoption of any law, ordinance or regulation not in conflict with
2 such sections by any city not within a county, or at least as
3 strict as such sections by any county, municipality or political
4 subdivision except that no such regulations or ordinances shall
5 be adopted by a political subdivision in a county with a
6 population of over nine hundred thousand inhabitants except by
7 the county's governing body.

8 6. In a county with a population of over nine hundred
9 thousand inhabitants, the governing body of the county shall set
10 the standards for all ambulance services which shall comply with
11 subsection 5 of this section. All such ambulance services must
12 be licensed by the department. The governing body of such county
13 shall not prohibit a licensed ambulance service from operating in
14 the county, as long as the ambulance service meets county
15 standards.

16 7. An ambulance service or vehicle when operated for the
17 purpose of transporting persons who are sick, injured, or
18 otherwise incapacitated shall not be treated as a common or
19 contract carrier under the jurisdiction of the Missouri division
20 of motor carrier and railroad safety.

21 8. Sections 190.001 to 190.245 shall not apply to, nor be
22 construed to include, any motor vehicle used by an employer for
23 the transportation of such employer's employees whose illness or
24 injury occurs on private property, and not on a public highway or
25 property, nor to any person operating such a motor vehicle.

26 9. A political subdivision that is authorized to operate a
27 licensed ambulance service may establish, operate, maintain and

1 manage its ambulance service, and select and contract with a
2 licensed ambulance service. Any political subdivision may
3 contract with a licensed ambulance service.

4 10. Except as provided in subsections 5 and 6, nothing in
5 section 67.300, or subsection 2 of section 190.109, shall be
6 construed to authorize any municipality or county which is
7 located within an ambulance district or a fire protection
8 district that is authorized to provide ambulance service to
9 promulgate laws, ordinances or regulations related to the
10 provision of ambulance services. This provision shall not apply
11 to any municipality or county which operates an ambulance service
12 established prior to August 28, 1998.

13 11. Nothing in section 67.300 or subsection 2 of section
14 190.109 shall be construed to authorize any municipality or
15 county which is located within an ambulance district or a fire
16 protection district that is authorized to provide ambulance
17 service to operate an ambulance service without a franchise in an
18 ambulance district or a fire protection district that is
19 authorized to provide ambulance service which has enacted an
20 ordinance making it unlawful to do so. This provision shall not
21 apply to any municipality or county which operates an ambulance
22 service established prior to August 28, 1998.

23 12. No provider of ambulance service within the state of
24 Missouri which is licensed by the department to provide such
25 service shall discriminate regarding treatment or transportation
26 of emergency patients on the basis of race, sex, age, color,
27 religion, sexual preference, national origin, ancestry, handicap,

1 medical condition or ability to pay.

2 13. No provision of this section, other than subsections 5,
3 6, 10 and 11 of this section, is intended to limit or supersede
4 the powers given to ambulance districts pursuant to this chapter
5 or to fire protection districts pursuant to chapter 321, or to
6 counties, cities, towns and villages pursuant to chapter 67.

7 14. Upon the sale or transfer of any ground ambulance
8 service ownership, the owner of such service shall notify the
9 department of the change in ownership within thirty days of such
10 sale or transfer. After receipt of such notice, the department
11 shall conduct an inspection of the ambulance service to verify
12 compliance with the licensure standards of sections 190.001 to
13 190.245.

14 190.143. 1. Notwithstanding any other provisions of law,
15 the department may grant a ninety-day temporary emergency medical
16 technician license to all levels of emergency medical technicians
17 who meet the following:

18 (1) Can demonstrate that they have, or will have,
19 employment requiring an emergency medical technician license;

20 (2) Are not currently licensed as an emergency medical
21 technician in Missouri or have been licensed as an emergency
22 medical technician in Missouri and fingerprints need to be
23 submitted to the Federal Bureau of Investigation to verify the
24 existence or absence of a criminal history, or they are currently
25 licensed and the license will expire before a verification can be
26 completed of the existence or absence of a criminal history;

27 (3) Have submitted a complete application upon such forms

1 as prescribed by the department in rules adopted pursuant to
2 sections 190.001 to 190.245;

3 (4) Have not been disciplined pursuant to sections 190.001
4 to 190.245 and rules promulgated pursuant to sections 190.001 to
5 190.245;

6 (5) Meet all the requirements of rules promulgated pursuant
7 to sections 190.001 to 190.245.

8 2. A temporary emergency medical technician license shall
9 only authorize the license to practice while under the immediate
10 supervision of a licensed emergency medical technician,
11 registered nurse, physician assistant, assistant physician, or
12 physician who is currently licensed, without restrictions, to
13 practice in Missouri.

14 3. A temporary emergency medical technician license shall
15 automatically expire either ninety days from the date of issuance
16 or upon the issuance of a five-year emergency medical technician
17 license.

18 190.196. 1. No employer shall knowingly employ or permit
19 any employee to perform any services for which a license,
20 certificate or other authorization is required by sections
21 190.001 to 190.245, or by rules adopted pursuant to sections
22 190.001 to 190.245, unless and until the person so employed
23 possesses all licenses, certificates or authorizations that are
24 required.

25 2. Any person or entity that employs or supervises a
26 person's activities as an emergency medical responder, emergency
27 medical dispatcher, emergency medical technician, registered

1 nurse, physician assistant, assistant physician, or physician
2 shall cooperate with the department's efforts to monitor and
3 enforce compliance by those individuals subject to the
4 requirements of sections 190.001 to 190.245.

5 3. Any person or entity who employs individuals licensed by
6 the department pursuant to sections 190.001 to 190.245 shall
7 report to the department within seventy-two hours of their having
8 knowledge of any charges filed against a licensee in their employ
9 for possible criminal action involving the following felony
10 offenses:

- 11 (1) Child abuse or sexual abuse of a child;
- 12 (2) Crimes of violence; or
- 13 (3) Rape or sexual abuse.

14 4. Any licensee who has charges filed against him or her
15 for the felony offenses in subsection 3 of this section shall
16 report such an occurrence to the department within seventy-two
17 hours of the charges being filed.

18 5. The department will monitor these reports for possible
19 licensure action authorized pursuant to section 190.165.

20 324.009. 1. For purposes of this section, the following
21 terms mean:

22 (1) "License", a license, certificate, registration,
23 permit, or accreditation that enables a person to legally
24 practice an occupation or profession in a particular
25 jurisdiction [~~]; except that "license" shall not include a~~
26 ~~certificate of license to teach in public schools under section~~
27 ~~168.021;~~

1 ~~—— (2) "Nonresident military spouse", a nonresident spouse of~~
2 ~~an active duty member of the Armed Forces of the United States~~
3 ~~who has been transferred or is scheduled to be transferred to the~~
4 ~~state of Missouri, or who has been transferred or is scheduled to~~
5 ~~be transferred to an adjacent state and is or will be domiciled~~
6 ~~in the state of Missouri, or has moved to the state of Missouri~~
7 ~~on a permanent change of station basis];~~

8 ~~[(3)] (2) "Oversight body", any board, department, agency,~~
9 ~~or office of a jurisdiction that issues licenses [; except, for~~
10 ~~the purposes of this section, oversight body shall not include~~
11 ~~the state board of registration for the healing arts, the state~~
12 ~~board of nursing, the board of pharmacy, the state committee of~~
13 ~~psychologists, the Missouri dental board, the Missouri board for~~
14 ~~architects, professional engineers, professional land surveyors~~
15 ~~and professional landscape architects, the state board of~~
16 ~~optometry, or the Missouri veterinary medical board;~~

17 ~~—— (4) "Resident military spouse", a spouse of an active duty~~
18 ~~member of the Armed Forces of the United States who has been~~
19 ~~transferred or is scheduled to be transferred to the state of~~
20 ~~Missouri or an adjacent state and who is a permanent resident of~~
21 ~~the state of Missouri, who is domiciled in the state of Missouri,~~
22 ~~or who has Missouri as his or her home of record].~~

23 2. Any person ~~[who is a resident of Missouri, a resident~~
24 ~~military spouse, or a nonresident military spouse and]~~ who holds
25 a valid current license issued by another state, a territory of
26 the United States, or the District of Columbia, and who has been
27 licensed for at least one year in such other jurisdiction, may

1 submit an application for a license in Missouri in the same
2 occupation or profession, and at the same practice level, for
3 which he or she holds the current license, along with proof of
4 current licensure and proof of licensure for at least one year in
5 ~~[all]~~ the other [jurisdictions] jurisdiction, to the relevant
6 oversight body in this state.

7 3. The oversight body in this state shall ~~[~~
8 ~~——(1)]~~ , within six months of receiving an application
9 described in subsection 2 of this section ~~[from a resident of~~
10 ~~Missouri],~~ waive any examination, educational, or experience
11 requirements for licensure in this state for the applicant if it
12 determines that ~~[the licensing requirements in the jurisdiction~~
13 ~~that issued the applicant's license are substantially similar to~~
14 ~~or more stringent than the licensing requirements in Missouri for~~
15 ~~the same occupation or profession and shall issue such applicant~~
16 ~~a license under this section if such applicant otherwise meets~~
17 ~~the requirements of this section, or~~
18 ~~——(2) Within thirty days of receiving an application~~
19 ~~described in subsection 2 of this section from a nonresident~~
20 ~~military spouse or a resident military spouse, waive any~~
21 ~~examination, educational, or experience requirements for~~
22 ~~licensure in this state for the applicant and issue such~~
23 ~~applicant a license under this section if such applicant~~
24 ~~otherwise meets the requirements of this section] there were~~
25 minimum education requirements and, if applicable, work
26 experience and clinical supervision requirements in effect and
27 the other state verifies that the person met those requirements

1 in order to be licensed or certified in that state. An oversight
2 body that administers an examination on laws of this state as
3 part of its licensing application requirement may require an
4 applicant to take and pass an examination specific to the laws of
5 this state.

6 4. (1) The oversight body shall not waive any examination,
7 educational, or experience requirements for any applicant who has
8 had his or her license revoked by an oversight body outside the
9 state; who is currently under investigation, who has a complaint
10 pending, or who is currently under disciplinary action, except as
11 provided in subdivision (2) of this subsection, with an oversight
12 body outside the state; who does not hold a license in good
13 standing with an oversight body outside the state; who has a
14 criminal record that would disqualify him or her for licensure in
15 Missouri; or who does not hold a valid current license in the
16 other jurisdiction on the date the oversight body receives his or
17 her application under this section.

18 (2) If another jurisdiction has taken disciplinary action
19 against an applicant, the oversight body shall determine if the
20 cause for the action was corrected and the matter resolved. If
21 the matter has not been resolved by that jurisdiction, the
22 oversight body may deny a license until the matter is resolved.

23 ~~5. [The oversight body shall not waive any examination,~~
24 ~~educational, or experience requirements for any applicant if it~~
25 ~~determines that waiving the requirements for the applicant may~~
26 ~~endanger the public health, safety, or welfare.~~

27 ~~6.] Nothing in this section shall prohibit the oversight~~

1 body from denying a license to an applicant under this section
2 for any reason described in any section associated with the
3 occupation or profession for which the applicant seeks a license.

4 6. Any person who is licensed under the provisions of this
5 section shall be subject to the applicable oversight body's
6 jurisdiction and all rules and regulations pertaining to the
7 practice of the licensed occupation or profession in this state.

8 7. This section shall not be construed to waive any
9 requirement for an applicant to pay any fees, post any bonds or
10 surety bonds, or submit proof of insurance associated with the
11 license the applicant seeks.

12 8. This section shall not apply to business, professional,
13 or occupational licenses issued or required by political
14 subdivisions.

15 9. The provisions of this section shall not impede an
16 oversight body's authority to require an applicant to submit
17 fingerprints as part of the application process.

18 10. The provisions of this section shall not apply to an
19 oversight body that has entered into a licensing compact with
20 another state for the regulation of practice under the oversight
21 body's jurisdiction. The provisions of this section shall not be
22 construed to alter the authority granted by, or any requirements
23 promulgated pursuant to, any interjurisdictional or interstate
24 compacts adopted by Missouri statute or any reciprocity
25 agreements with other states [~~. If any conflict arises between~~
26 ~~the provisions of this section and the provisions of any~~
27 ~~interjurisdictional or interstate compact or reciprocity~~

1 ~~agreement, the provisions of such compact or agreement shall~~
2 ~~prevail. If a conflict arises between the provisions of this~~
3 ~~section and any federal law or rule, the provisions of the~~
4 ~~federal law or rule shall prevail]~~ in effect on August 28, 2018,
5 and whenever possible this section shall be interpreted so as to
6 imply no conflict between it and any compact, or any reciprocity
7 agreements with other states in effect on August 28, 2018.

8 ~~[10. For the purposes of this section, resident military~~
9 ~~spouses and nonresident military spouses shall be eligible to~~
10 ~~apply for a license with any board, department, agency, or office~~
11 ~~of a jurisdiction that issues licenses including, but not limited~~
12 ~~to, the state board of registration for the healing arts; the~~
13 ~~state board of nursing; the board of pharmacy; the state~~
14 ~~committee of psychologists; the Missouri dental board; the~~
15 ~~Missouri board for architects, professional engineers,~~
16 ~~professional land surveyors, and professional landscape~~
17 ~~architects; the state board of optometry; and the Missouri~~
18 ~~veterinary medical board.]~~ 11. Notwithstanding any other
19 provision of law, a license issued under this section shall be
20 valid only in this state and shall not make a licensee eligible
21 to be part of an interstate compact. An applicant who is
22 licensed in another state pursuant to an interstate compact shall
23 not be eligible for licensure by an oversight body under the
24 provisions of this section.

25 324.035. No board, commission, or committee within the
26 division of professional registration or any outside vendor or
27 agency contracted with a board, commission, or committee within

1 the division of professional registration shall utilize
2 occupational licensure fees, or any other fees associated with
3 licensing requirements, for the purpose of offering continuing
4 education classes. Nothing in this section shall be construed to
5 preclude a board, commission, or committee within the division of
6 professional registration from utilizing occupational licensure
7 fees for the purpose of attending, participating in, or
8 presenting in a conference, seminar, class, or other outreach for
9 the purpose of communicating information to its licensees with
10 respect to changes in policy, law, or regulation.

11 324.950. 1. Sections 324.950 to 324.983 shall be known and
12 may be cited as the "Missouri Statewide Mechanical Contractor
13 Licensing Act".

14 2. As used in sections 324.950 to 324.983, unless the
15 context clearly indicates otherwise, the following terms mean:

16 (1) "Division", the division of professional registration
17 within the department of commerce and insurance;

18 (2) "Field employee", any person who is an employee of a
19 mechanical contractor and is engaged in mechanical work at a
20 jobsite within Missouri;

21 (3) "License holder", any person who is granted a statewide
22 license by the division;

23 (4) "Local license", a valid business or occupational
24 license issued by a Missouri political subdivision;

25 (5) "Mechanical contractor", a company engaged in
26 mechanical contracting work per the International Code Council
27 (ICC) and National Fire Protection Association (NFPA), including

1 the design, installation, maintenance, construction, alteration,
2 repair, and inspection of any:

3 (a) HVAC system;

4 (b) HVAC duct system;

5 (c) Exhaust systems;

6 (d) Combustion air or make up air;

7 (e) Chimneys and vents;

8 (f) Hydronic piping systems that are part of an HVAC
9 system;

10 (g) Boilers, water heaters, and pressure vessels;

11 (h) Process piping systems;

12 (i) Fuel gas distribution piping;

13 (j) Fuel gas-fired, fuel oil-fired, and solid fuel
14 appliances;

15 (k) Fuel oil piping and storage vessels;

16 (l) Fuel gas-fired, fuel oil-fired, and solid fuel
17 appliance venting systems;

18 (m) Equipment and appliances intended to utilize solar
19 energy for space heating or cooling;

20 (n) Domestic hot water heating, swimming pool heating, or
21 process heating;

22 (o) Refrigeration systems, including all equipment and
23 components thereof;

24 (p) Backflow preventers;

25 (q) Medical gas piping;

26 (r) Air, oxygen, and vacuum piping;

27 (s) Fire suppression systems; and

1 (t) Chillers and cooling towers.

2
3 "Mechanical contractor" shall not include design, service,
4 maintenance, installation, and inspection of solid-fuel and gas-
5 fueled hearth appliances, such as wood stoves and fireplaces,
6 including manufacturer specified venting systems, fireplace
7 chimneys, outdoor cooking appliances with manufacturer specified
8 venting systems, outdoor fireplaces and outdoor firepits.
9 Additional certification may be required by the division for a
10 particular scope of mechanical work;

11 (6) "Office", the office of mechanical contractors within
12 the division;

13 (7) "Person", an individual, corporation, partnership,
14 association, or other legal entity;

15 (8) "Statewide mechanical contractor license", a valid
16 license issued by the division that allows the mechanical
17 contractor and any of its employees or manufacturers'
18 representatives or subcontractors to practice in any jurisdiction
19 in Missouri regardless of local licensing requirements.

20 Political subdivisions shall not require any member of the work
21 force of a licensed statewide mechanical contractor to obtain an
22 individual occupational license.

23 324.953. 1. The division shall adopt, implement, rescind,
24 amend, and administer such rules as may be necessary to carry out
25 the provisions of sections 324.950 to 324.983. The division may
26 promulgate necessary rules as authorized or required to explain
27 or clarify sections 324.950 to 324.983 including, but not limited

1 to, rules relating to professional conduct, continuing competency
2 requirements for the renewal of licenses, approval of continuing
3 competency programs, fees, and the establishment of ethical
4 standards of business practice for persons holding a license
5 under sections 324.950 to 324.983. Any rule or portion of a
6 rule, as that term is defined in section 536.010, that is created
7 under the authority delegated in this section shall become
8 effective only if it complies with and is subject to all of the
9 provisions of chapter 536 and, if applicable, section 536.028.
10 This section and chapter 536 are nonseverable, and if any of the
11 powers vested with the general assembly pursuant to chapter 536
12 to review, to delay the effective date, or to disapprove and
13 annul a rule are subsequently held unconstitutional, then the
14 grant of rulemaking authority and any rule proposed or adopted
15 after August 28, 2020, shall be invalid and void.

16 2. For the purpose of sections 324.950 to 324.983, the
17 division shall:

18 (1) Establish all applicable fees, set at an amount that
19 shall not substantially exceed the cost of administering sections
20 324.950 to 324.983; and

21 (2) Deposit all fees collected under sections 324.950 to
22 324.983 by transmitting such funds to the department of revenue
23 for deposit to the state treasury to the credit of the Missouri
24 mechanical contractor licensing fund.

25 324.956. There is hereby created the "Office of Mechanical
26 Contractors" to be housed within the division of professional
27 registration. The division shall:

1 (1) Employ, within the limits of the funds appropriated,
2 persons as are necessary to carry out the provisions of sections
3 324.950 to 324.983, including both administrative and
4 professional staff and legal counsel, with the discretion to hire
5 experts in mechanical contracting to advise the division on
6 technical matters related to mechanical contracting;

7 (2) Exercise all budgeting, purchasing, reporting, and
8 related management functions;

9 (3) Conduct investigations to determine compliance with
10 sections 324.950 to 324.983; and

11 (4) File suit in its own name on behalf of the office to
12 enforce the provisions of sections 324.950 to 324.983.

13 324.959. 1. The applicant for a statewide mechanical
14 license shall satisfy the following requirements:

15 (1) Be at least twenty-one years of age;

16 (2) Provide proof of liability insurance in the amount of
17 one million dollars and post bond with each political subdivision
18 in which he or she will perform work as required by that
19 political subdivision. If a political subdivision requires any
20 license holder to be named on a document including, but not
21 limited to, the bond, the license holder of the mechanical
22 contractor shall be allowed to provide services in the political
23 subdivision;

24 (3) Pass one of the following standardized and nationally
25 offered mechanical assessment tests:

26 (a) International Code Council;

27 (b) Prometric; or

1 (c) International Association of Plumbing and Mechanical
2 Officials (IAPMO); or

3
4 a similar test that is administered by an independent
5 professional testing agency not affiliated with any political
6 subdivision or the state of Missouri and is approved by the
7 division. The applicant shall pay for all costs associated with
8 the examinations;

9 (4) Complete the application form provided by the division
10 and pay any applicable application fees; and

11 (5) Have completed seven thousand five hundred hours of
12 verifiable field experience in mechanical contracting work or a
13 bachelor's or further advanced degree in mechanical or civil
14 engineering from an accredited college or university with a
15 minimum of three years verifiable experience directing and
16 supervising at least one field employee.

17 2. Any applicant for licensure who holds a local license or
18 other license authorizing him or her to engage in mechanical
19 contracting, who has seven thousand five hundred hours of
20 verifiable field experience in mechanical contracting work, and
21 who is otherwise eligible for licensure shall be issued a
22 statewide mechanical license. The provisions of this subsection
23 shall apply only to licenses issued by a political subdivision
24 with the legal authority to issue such licenses.

25 3. If a corporation, firm, institution, organization,
26 company, or representative thereof desires to engage in
27 mechanical contracting under sections 324.950 to 324.983, it

1 shall have in its employ at least one statewide license holder in
2 accordance with sections 324.950 to 324.983. A statewide
3 mechanical license holder shall represent only one corporation,
4 firm, institution, organization, or company at one time. A
5 mechanical contractor shall have one license holder responsible
6 for offering Missouri-based field employees eight contact hours
7 of industry training per year; such mechanical contractor shall
8 be responsible for providing proof of training to the division
9 upon request. In the event of a loss of a license holder, a
10 mechanical contractor shall remain in good standing with the
11 division for six months after notifying the division of the
12 change in status. Within the six-month period, a new license
13 holder shall be registered with the division. If no license
14 holder is registered within such six-month period, the division
15 shall declare the mechanical contractor inactive.

16 4. The division may issue a mechanical contractor license
17 to any person who holds a current and active license to engage in
18 the practice of a mechanical contractor or as a master pipefitter
19 or master plumber issued by any other state, the District of
20 Columbia, or territories of the United States that require
21 standards for licensure, registration, or certification
22 considered to be equivalent or more stringent than the
23 requirements for licensure under sections 324.950 to 324.983.

24 5. If the contact information of a mechanical contractor's
25 employees is required to fulfill the obligations of a license,
26 such contact information shall be considered a trade secret and
27 therefore not a public record under chapter 610.

1 324.962. 1. Political subdivisions may establish their own
2 local mechanical contractor's license but shall recognize a
3 statewide license in lieu of a local license for the purposes of
4 performing contracting work or obtaining permits to perform work
5 within such political subdivision. No political subdivision
6 shall require the employees of a statewide licensed mechanical
7 contractor or its subcontractors or manufacturers'
8 representatives to obtain journeyman licenses, apprentice
9 licenses, or occupational licenses that require passing any
10 examination or any special requirements to assess proficiency or
11 mastery of the mechanical trade. The workforce of a statewide
12 licensee shall be deemed eligible to perform mechanical
13 contracting work and to obtain permits to perform such work from
14 any political subdivision within the state of Missouri.

15 2. If a political subdivision does not recognize a
16 statewide license in lieu of a local license for the purposes of
17 performing contracting work or obtaining permits to perform work
18 within the political subdivision, a statewide mechanical
19 contractor licensee may file a complaint with the division. The
20 division shall perform an investigation into the complaint, and
21 if the division finds that the political subdivision failed to
22 recognize a statewide license in accordance with this section,
23 the division shall notify the political subdivision that the
24 political subdivision has violated the provisions of this section
25 and has thirty days to comply with this section. If after thirty
26 days the political subdivision still does not recognize the
27 statewide license, the division shall notify the director of the

1 department of revenue, who shall withhold any moneys the
2 noncompliant political subdivision would otherwise be entitled to
3 from local sales tax, as defined in section 32.085, until the
4 director has received notice from the division that the political
5 subdivision is in compliance with this section. Upon the
6 political subdivision coming into compliance with the provisions
7 of this section, the division shall notify the director of the
8 department of revenue, who shall disburse all funds held under
9 this subsection. Moneys held by the director of the department
10 of revenue under this subsection shall not be deemed to be state
11 funds and shall not be commingled with any funds of the state.

12 3. The provisions of this section shall not prohibit any
13 political subdivision in this state from:

14 (1) Enforcing any technical code or law contained in this
15 section;

16 (2) Requiring a business license to perform mechanical
17 contracting work;

18 (3) Issuing mechanical contracting permits;

19 (4) Enforcing technical codes of the political subdivision;

20 and

21 (5) Inspecting the work of a statewide mechanical
22 contractor.

23 4. Political subdivisions that do not have the authority to
24 issue or require mechanical contractor licenses prior to August
25 28, 2020, shall not be granted such authority under the
26 provisions of this section.

27 324.965. There is hereby created in the state treasury the

1 "Missouri Mechanical Contractor Licensing Fund", which shall
2 consist of moneys collected under sections 324.950 to 324.983.
3 The state treasurer shall be custodian of the fund and may
4 approve disbursements from the fund in accordance with sections
5 30.170 and 30.180. Upon appropriation, moneys in the fund shall
6 be used solely for the administration of sections 324.950 to
7 324.983. The provisions of section 33.080 to the contrary
8 notwithstanding, moneys in this fund shall not be transferred and
9 placed to the credit of general revenue until the amount in the
10 fund at the end of the biennium exceeds three times the amount of
11 the appropriation from the fund for the preceding fiscal year.
12 The amount, if any, in the fund that shall lapse is that amount
13 in the fund that exceeds the appropriate multiple of the
14 appropriations from the fund for the preceding fiscal year. The
15 state treasurer shall invest moneys in the fund in the same
16 manner as other funds are invested. Any interest and moneys
17 earned on such investments shall be credited to the fund.

18 324.968. 1. Licenses shall expire on a renewal date
19 established by the division. The term of licensure shall be
20 twenty-four months. The division shall mail a renewal notice to
21 the last known address of each person licensed under sections
22 324.950 to 324.983 prior to the renewal date. Failure to provide
23 the division with the information required for renewal or to pay
24 the required fee after such notice shall result in the license
25 being declared inactive. The licensee shall not practice until
26 he or she applies for reinstatement and pays the required fees.
27 The license shall be restored if the application for

1 reinstatement is received within two years of the renewal date.

2 2. In addition to other requirements provided by sections
3 324.950 to 324.983 and established by the division, in order to
4 renew such license under this section, the person shall have at
5 least sixteen contact hours of industry-related training.

6 324.971. Any person operating as a mechanical contractor in
7 a political subdivision that does not require the mechanical
8 contractor to hold a local license, or who operates as a
9 mechanical contractor in a political subdivision that requires a
10 local license possessed by that person, shall not be required to
11 possess a statewide license under sections 324.950 to 324.983 to
12 operate as a mechanical contractor in such political subdivision.

13 324.977. The statewide license shall be regulated by the
14 division of professional registration and not a state-appointed
15 licensing board.

16 324.980. 1. The division may refuse to issue any
17 certificate of registration or authority, permit, or license
18 required under sections 324.950 to 324.983 for one or any
19 combination of causes stated in subsection 2 of this section.
20 The division shall notify the applicant in writing of the reasons
21 for the refusal and shall advise the applicant of his or her
22 right to file a complaint with the administrative hearing
23 commission as provided by chapter 621.

24 2. The division may cause a complaint to be filed with the
25 administrative hearing commission under chapter 621 against any
26 holder of any certificate of registration or authority, permit,
27 or license required by sections 324.950 to 324.983, or any person

1 who has failed to renew or has surrendered his or her certificate
2 of registration or authority, permit, or license for any one or
3 any combination of the following causes:

4 (1) Use of any controlled substance, as defined in chapter
5 195, or alcoholic beverage to an extent that such use impairs a
6 person's ability to perform the work of any profession licensed
7 or regulated by sections 324.950 to 324.983;

8 (2) The person has been finally adjudicated and found
9 guilty, or entered a plea of guilty or nolo contendere, in a
10 criminal prosecution under the laws of any state or of the United
11 States for any offense reasonably related to the qualifications,
12 functions, or duties of any profession licensed or regulated
13 under sections 324.950 to 324.983, for any offense involving a
14 controlled substance, or for any offense an essential element of
15 which is fraud, dishonesty, or an act of violence;

16 (3) Use of fraud, deception, misrepresentation, or bribery
17 in securing any certificate of registration or authority, permit,
18 or license issued under sections 324.950 to 324.983 or in
19 obtaining permission to take any examination given or required
20 under sections 324.950 to 324.983;

21 (4) Obtaining or attempting to obtain any fee, charge,
22 tuition, or other compensation by fraud, deception, or
23 misrepresentation;

24 (5) Incompetency, misconduct, gross negligence, fraud,
25 misrepresentation, or dishonesty in the performance of the
26 functions or duties of any profession licensed or regulated by
27 sections 324.950 to 324.983;

1 (6) Violation of, or assisting or enabling any person to
2 violate, any provision of sections 324.950 to 324.983, or of any
3 lawful rule or regulation adopted thereunder;

4 (7) Impersonation of any person holding a certificate of
5 registration or authority, permit, or license or allowing any
6 person to use his or her certificate of registration or
7 authority, permit, license, or diploma from any school;

8 (8) Disciplinary action against the holder of a license or
9 other right to practice any profession regulated by sections
10 324.950 to 324.983 granted by another political subdivision,
11 state, territory, federal agency, or country upon grounds for
12 which revocation or suspension is authorized in this state;

13 (9) A person is finally adjudged mentally incompetent by a
14 court of competent jurisdiction;

15 (10) Assisting or enabling any person to practice or offer
16 to practice any profession licensed or regulated by sections
17 324.950 to 324.983 who is not licensed or registered and
18 currently eligible to practice thereunder;

19 (11) Issuance of a certificate of registration or
20 authority, permit, or license based upon a material mistake of
21 fact;

22 (12) Failure to maintain liability coverage as required for
23 initial licensure;

24 (13) Violation of any professional trust or confidence;

25 (14) Use of any advertisement or solicitation which is
26 false, misleading, or deceptive to the general public or persons
27 to whom the advertisement or solicitation is primarily directed;

1 or

2 (15) Failure to post bond as required by any local
3 jurisdiction.

4 3. After the filing of such complaint, the proceedings
5 shall be conducted in accordance with the provisions of chapter
6 621. Upon a finding by the administrative hearing commission
7 that the grounds provided in subsection 2 of this section for
8 disciplinary action are met, the division may, singly or in
9 combination, censure or place the person named in the complaint
10 on probation on such terms and conditions as the division deems
11 appropriate for a period not to exceed five years, or may
12 suspend, for a period not to exceed three years, or revoke any
13 certificate of registration or authority, permit, or license
14 issued under sections 324.950 to 324.983.

15 4. An individual whose certificate of registration or
16 authority, permit, or license has been revoked shall wait three
17 years from the date of revocation to apply for any certificate of
18 registration or authority, permit, or license under sections
19 324.950 to 324.983. Any certificate of registration or
20 authority, permit, or license shall be issued at the discretion
21 of the board after compliance with all the requirements of
22 sections 324.950 to 324.983 relating to the licensing or
23 registration of the applicant for the first time.

24 5. The division may file suit to enforce compliance,
25 including the authority to seek injunctions and restraining
26 orders to enjoin any person from:

27 (1) Offering to engage or engaging in the performance of

1 any acts or practices for which a license is required upon a
2 showing that such acts or practices were performed or offered to
3 be performed without a certificate of registration or authority,
4 permit, or license;

5 (2) Engaging in the practice of business authorized by a
6 license issued under a building trades contractor law upon a
7 showing that the license holder presents a substantial
8 probability of serious harm to the health, safety, or welfare of
9 any resident of this state or owner or lessee of real property
10 within this state; or

11 (3) Refusing to recognize a statewide license as a valid
12 license within any political subdivision, requiring journeymen or
13 apprentices to be individually licensed, or requiring
14 subcontractors and manufacturer's representatives or other
15 members of the contractor's workforce to be licensed.

16 6. The division may assess fines for violations of any of
17 the provisions of sections 324.950 to 324.983 in an amount not to
18 exceed five thousand dollars per occurrence upon a judicial or
19 administrative finding of violation of law.

20 7. The division may compel the production of documents,
21 things, or persons by subpoena.

22 8. The division may refer any violations of the provisions
23 of any state law or local ordinance relating to the work
24 performed by a licensee to the appropriate state or local
25 official.

26 324.983. 1. Any person that knowingly violates any
27 provision of sections 324.950 to 324.983 is guilty of a class B

1 misdemeanor.

2 2. Any officer or agent of a corporation or member or agent
3 of a partnership or association who knowingly and personally
4 participates in or is an accessory to any violation of sections
5 324.950 to 324.983 is guilty of a class B misdemeanor.

6 3. The division may file suit for any violation of sections
7 324.950 to 324.983 in any court of competent jurisdiction and
8 perform such other acts as may be necessary to enforce the
9 provisions of sections 324.950 to 324.983.

10 332.181. 1. No person shall engage in the practice of
11 dentistry in Missouri without having first secured a license as
12 provided for in this chapter.

13 2. Any person desiring a license to practice dentistry in
14 Missouri shall pay the required fee and make application to the
15 board on a form prescribed by the board pursuant to section
16 332.141. An application for licensure shall be active for one
17 year after the date it is received by the board. The application
18 becomes void if not completed within such one-year period.

19 3. All persons once licensed to practice dentistry in
20 Missouri shall renew his or her license to practice dentistry in
21 Missouri on or before the license renewal date and shall display
22 his or her license for each current licensing period in the
23 office in which he or she practices or offers to practice
24 dentistry.

25 4. Effective with the licensing period beginning on
26 December 1, 2002, a license shall be renewed every two years. To
27 renew a license, each dentist shall submit satisfactory evidence

1 of completion of fifty hours of continuing education during the
2 two-year period immediately preceding the renewal period. Each
3 dentist shall maintain documentation of completion of the
4 required continuing education hours as provided by rule. Failure
5 to obtain the required continuing education hours, submit
6 satisfactory evidence, or maintain documentation is a violation
7 of section 332.321. As provided by rule, the board may waive
8 and/or extend the time requirements for completion of continuing
9 education for reasons related to health, military service,
10 foreign residency or for other good cause. All requests for
11 waivers and/or extensions of time shall be made in writing and
12 submitted to the board before the renewal date.

13 5. The board shall give credit for continuing education
14 hours performed by a dentist on a volunteer basis working within
15 his or her professional scope of practice at a nonprofit entity.
16 The board shall determine how many hours of continuing education
17 credit shall be given for each hour of volunteering and specify
18 the maximum number of continuing education credit hours that
19 shall be given for volunteer work under this subsection.

20 6. Any licensed dentist who fails to renew his or her
21 license on or before the renewal date may apply to the board for
22 renewal of his or her license within four years subsequent to the
23 date of the license expiration. To renew an expired license, the
24 person shall submit an application for renewal, pay the renewal
25 fee and renewal penalty fee as set by rule, and submit
26 satisfactory evidence of completion of at least fifty hours of
27 continuing education for each renewal period that his or her

1 license was expired as provided by rule. The required hours must
2 be obtained within four years prior to renewal. The license of
3 any dentist who fails to renew within four years of the time his
4 or her license has expired shall be void. The dentist may apply
5 for a new license; provided that, unless application is made
6 under section 332.321, the dentist shall pay the same fees and be
7 examined in the same manner as an original applicant for
8 licensure as a dentist.

9 332.261. 1. No person shall engage in the practice of
10 dental hygiene without having first secured a license as provided
11 for in this chapter.

12 2. Any person desiring a license to practice dental hygiene
13 in Missouri shall pay the required fee and make application to
14 the board on a form prescribed by the board pursuant to section
15 332.241. An application for licensure shall be active for one
16 year after the date it is received by the board. The application
17 becomes void if not completed within such one-year period.

18 3. All persons once licensed to practice as a dental
19 hygienist in Missouri shall renew his or her license to practice
20 on or before the renewal date and shall display his or her
21 license for each current licensing period in the office in which
22 he or she practices or offers to practice as a dental hygienist.

23 4. Effective with the licensing period beginning on
24 December 1, 2002, a license shall be renewed every two years. To
25 renew a license, each dental hygienist shall submit satisfactory
26 evidence of completion of thirty hours of continuing education
27 during the two-year period immediately preceding the renewal

1 period. Each dental hygienist shall maintain documentation of
2 completion of the required continuing education hours as provided
3 by rule. Failure to obtain the required continuing education
4 hours, submit satisfactory evidence, or maintain documentation is
5 a violation of section 332.321 and may subject the licensee to
6 discipline. As provided by rule, the board may waive and/or
7 extend the time requirements for completion of the continuing
8 education for reasons related to health, military service,
9 foreign residency or for other good cause. All requests for
10 waivers and/or extensions of time shall be made in writing and
11 submitted to the board before the renewal date.

12 5. The board shall give credit for continuing education
13 hours performed by a dental hygienist on a volunteer basis
14 working within his or her professional scope of practice at a
15 nonprofit entity. The board shall determine how many hours of
16 continuing education credit shall be given for each hour of
17 volunteering and specify the maximum number of continuing
18 education credit hours that shall be given for volunteer work
19 under this subsection.

20 6. Any licensed dental hygienist who fails to renew his or
21 her license on or before the renewal date may apply to the board
22 for renewal of his or her license within four years subsequent to
23 the date of the license expiration. To renew an expired license,
24 the person shall submit an application for renewal, pay the
25 renewal fee and renewal penalty fee as set by rule, and submit
26 satisfactory evidence of completion of at least thirty hours of
27 continuing education for each renewal period that his or her

1 license was expired as provided by rule. The required hours must
2 be obtained within four years prior to renewal. The license of
3 any dental hygienist who fails to renew within four years of the
4 time his or her license has expired shall be void. The dental
5 hygienist may reapply for a license; provided that, unless
6 application is made under section 332.281, the dental hygienist
7 shall pay the same fees and be examined in the same manner as an
8 original applicant for licensure as a dental hygienist.

9 334.036. 1. For purposes of this section, the following
10 terms shall mean:

11 (1) "Assistant physician", any medical school graduate who:

12 (a) Is a resident and citizen of the United States or is a
13 legal resident alien;

14 (b) Has successfully completed Step 2 of the United States
15 Medical Licensing Examination or the equivalent of such step of
16 any other board-approved medical licensing examination within the
17 three-year period immediately preceding application for licensure
18 as an assistant physician, or within three years after graduation
19 from a medical college or osteopathic medical college, whichever
20 is later;

21 (c) Has not completed an approved postgraduate residency
22 and has successfully completed Step 2 of the United States
23 Medical Licensing Examination or the equivalent of such step of
24 any other board-approved medical licensing examination within the
25 immediately preceding three-year period unless when such three-
26 year anniversary occurred he or she was serving as a resident
27 physician in an accredited residency in the United States and

1 continued to do so within thirty days prior to application for
2 licensure as an assistant physician; and

3 (d) Has proficiency in the English language.

4
5 Any medical school graduate who could have applied for licensure
6 and complied with the provisions of this subdivision at any time
7 between August 28, 2014, and August 28, 2017, may apply for
8 licensure and shall be deemed in compliance with the provisions
9 of this subdivision;

10 (2) "Assistant physician collaborative practice
11 arrangement", an agreement between a physician and an assistant
12 physician that meets the requirements of this section and section
13 334.037;

14 (3) "Medical school graduate", any person who has graduated
15 from a medical college or osteopathic medical college described
16 in section 334.031.

17 2. (1) An assistant physician collaborative practice
18 arrangement shall limit the assistant physician to providing only
19 primary care services and only in medically underserved rural or
20 urban areas of this state or in any pilot project areas
21 established in which assistant physicians may practice.

22 (2) For a physician-assistant physician team working in a
23 rural health clinic under the federal Rural Health Clinic
24 Services Act, P.L. 95-210, as amended:

25 (a) An assistant physician shall be considered a physician
26 assistant for purposes of regulations of the Centers for Medicare
27 and Medicaid Services (CMS); and

1 (b) No supervision requirements in addition to the minimum
2 federal law shall be required.

3 3. (1) For purposes of this section, the licensure of
4 assistant physicians shall take place within processes
5 established by rules of the state board of registration for the
6 healing arts. The board of healing arts is authorized to
7 establish rules under chapter 536 establishing licensure and
8 renewal procedures, supervision, collaborative practice
9 arrangements, fees, and addressing such other matters as are
10 necessary to protect the public and discipline the profession.
11 No licensure fee for an assistant physician shall exceed the
12 amount of any licensure fee for a physician assistant. An
13 application for licensure may be denied or the licensure of an
14 assistant physician may be suspended or revoked by the board in
15 the same manner and for violation of the standards as set forth
16 by section 334.100, or such other standards of conduct set by the
17 board by rule. No rule or regulation shall require an assistant
18 physician to complete more hours of continuing medical education
19 than that of a licensed physician. The board shall give credit
20 for continuing education hours performed by an assistant
21 physician on a volunteer basis working within his or her
22 professional scope of practice at a nonprofit entity. The board
23 shall determine how many hours of continuing education credit
24 shall be given for each hour of volunteering and specify the
25 maximum number of continuing education credit hours that shall be
26 given for volunteer work under this subsection.

27 (2) Any rule or portion of a rule, as that term is defined

1 in section 536.010, that is created under the authority delegated
2 in this section shall become effective only if it complies with
3 and is subject to all of the provisions of chapter 536 and, if
4 applicable, section 536.028. This section and chapter 536 are
5 nonseverable and if any of the powers vested with the general
6 assembly under chapter 536 to review, to delay the effective
7 date, or to disapprove and annul a rule are subsequently held
8 unconstitutional, then the grant of rulemaking authority and any
9 rule proposed or adopted after August 28, 2014, shall be invalid
10 and void.

11 (3) Any rules or regulations regarding assistant physicians
12 in effect as of the effective date of this section that conflict
13 with the provisions of this section and section 334.037 shall be
14 null and void as of the effective date of this section.

15 4. An assistant physician shall clearly identify himself or
16 herself as an assistant physician and shall be permitted to use
17 the terms "doctor", "Dr.", or "doc". No assistant physician
18 shall practice or attempt to practice without an assistant
19 physician collaborative practice arrangement, except as otherwise
20 provided in this section and in an emergency situation.

21 5. The collaborating physician is responsible at all times
22 for the oversight of the activities of and accepts responsibility
23 for primary care services rendered by the assistant physician.

24 6. The provisions of section 334.037 shall apply to all
25 assistant physician collaborative practice arrangements. Any
26 renewal of licensure under this section shall include
27 verification of actual practice under a collaborative practice

1 arrangement in accordance with this subsection during the
2 immediately preceding licensure period.

3 7. Each health carrier or health benefit plan that offers
4 or issues health benefit plans that are delivered, issued for
5 delivery, continued, or renewed in this state shall reimburse an
6 assistant physician for the diagnosis, consultation, or treatment
7 of an insured or enrollee on the same basis that the health
8 carrier or health benefit plan covers the service when it is
9 delivered by another comparable mid-level health care provider
10 including, but not limited to, a physician assistant.

11 334.075. 1. The board shall not renew any certificate of
12 registration unless the licensee shall provide satisfactory
13 evidence that he has complied with the board's minimum
14 requirements for continuing education. At the discretion of the
15 board, compliance with the provisions of this section may be
16 waived for licensed physicians who have discontinued their
17 practice of medicine because of retirement.

18 2. The board shall give credit for continuing education
19 hours performed by a licensee on a volunteer basis working within
20 his or her professional scope of practice at a nonprofit entity.
21 The board shall determine how many hours of continuing education
22 credit shall be given for each hour of volunteering and specify
23 the maximum number of continuing education credit hours that
24 shall be given for volunteer work under this subsection.

25 334.150. It is not intended by sections 334.010 to 334.140
26 to prohibit isolated or occasional gratuitous service to and
27 treatment of the afflicted, and sections 334.010 to 334.140 shall

1 not apply to physicians and surgeons commissioned as officers of
2 the Armed Forces of the United States or of the public health
3 services of the United States while in the performance of their
4 official duties, nor to any licensed practitioner of medicine and
5 surgery in ~~[a border]~~ another state attending the sick in this
6 state, including attending to the sick in a 501(c)(3)
7 organization located in this state, if he or she does not
8 maintain an office or appointed place to meet patients or receive
9 calls within the limits of this state, and if he or she complies
10 with the statutes of Missouri and the rules and regulations of
11 the department of social services relating to the reports of
12 births, deaths and contagious diseases; and sections 334.010 to
13 334.140 shall not apply to Christian Science practitioners who
14 endeavor to cure or prevent disease or suffering exclusively by
15 spiritual means or prayer, so long as quarantine regulations
16 relating to contagious diseases are not infringed upon; but no
17 provision of this section shall be construed or held in any way
18 to interfere with the enforcement of the rules and regulations
19 adopted and approved by the department of health and senior
20 services or any municipality under the laws of this state for the
21 control of communicable or contagious diseases.

22 334.507. Each person licensed pursuant to sections 334.500
23 to 334.685 shall accumulate thirty hours of continuing education
24 every two years to be eligible for relicensure, as follows:

25 (1) Continuing education shall be obtained through courses
26 approved by the Missouri advisory commission for physical
27 therapists and physical therapist assistants;

1 (2) Ten hours of continuing education shall be equivalent
2 to one continuing education unit;

3 (3) Adherence to the continuing education requirement shall
4 be reviewed for licensure renewal in each even-numbered year and
5 shall include all approved continuing education courses taken
6 during the previous two years;

7 (4) The board shall give credit for continuing education
8 hours performed by a licensee on a volunteer basis working within
9 his or her professional scope of practice at a nonprofit entity.
10 The board shall determine how many hours of continuing education
11 credit shall be given for each hour of volunteering and specify
12 the maximum number of continuing education credit hours that
13 shall be given for volunteer work under this subsection.

14 334.1000. As used in sections 334.1000 and 334.1005, the
15 following terms mean:

16 (1) "Advisory committee", the Missouri radiologic imaging
17 and radiation therapy advisory committee;

18 (2) "Board", the state board of registration for the
19 healing arts;

20 (3) "Certification organization", an organization that
21 specializes in the certification and registration of radiologic
22 imaging or radiation therapy technical personnel that is
23 accredited by the National Commission for Certifying Agencies,
24 the American National Standards Institute, the International
25 Organization for Standardization, or other accreditation
26 organizations recognized by the board;

27 (4) "Ionizing radiation", radiation that may consist of

1 alpha particles, beta particles, gamma rays, x-rays, neutrons,
2 high-speed electrons, high-speed protons, or other particles
3 capable of producing ions. "Ionizing radiation" does not include
4 nonionizing radiation, such as radio frequency or microwaves,
5 visible infrared or ultraviolet light, or ultrasound;

6 (5) "Licensed practitioner", a person licensed to practice
7 medicine, chiropractic, podiatry, or dentistry in this state with
8 education and specialist training in the medical or dental use of
9 radiation who is deemed competent to independently perform or
10 supervise radiologic imaging or radiation therapy procedures by
11 his or her respective state licensure board;

12 (6) "Limited x-ray machine operator", a person who is
13 licensed to perform only x-ray procedures not involving the
14 administration or utilization of contrast media on selected
15 specific parts of human anatomy under the supervision of a
16 licensed practitioner;

17 (7) "Nuclear medicine technologist", a person who is
18 licensed to perform a variety of nuclear medicine and molecular
19 imaging procedures using sealed and unsealed radiation sources,
20 ionizing radiation, adjunctive medicine and pharmaceuticals
21 associated with nuclear medicine procedures, and therapeutic
22 procedures using unsealed radioactive sources;

23 (8) "Radiation therapist", a person who is licensed to
24 administer ionizing radiation to human beings for therapeutic
25 purposes;

26 (9) "Radiation therapy", the use of ionizing radiation for
27 the purpose of treating disease;

1 (10) "Radiographer", a person who is licensed to perform a
2 comprehensive set of diagnostic radiographic procedures using
3 external ionizing radiation to produce radiographic,
4 fluoroscopic, or digital images;

5 (11) "Radiologic imaging", any procedure or article
6 intended for use in the diagnosis or visualization of disease or
7 other medical conditions in human beings including, but not
8 limited to, computed tomography, fluoroscopy, nuclear medicine,
9 radiography, and other procedures using ionizing radiation;

10 (12) "Radiologist", a physician licensed in this state and
11 certified by or board-eligible to be certified by the American
12 Board of Radiology, the American Osteopathic Board of Radiology,
13 the British Royal College of Radiology, or the Canadian College
14 of Physicians and Surgeons in that medical specialty;

15 (13) "Radiologist assistant", a person who is licensed to
16 perform a variety of activities under the supervision of a
17 radiologist in the areas of patient care, patient management,
18 radiologic imaging, or interventional procedures guided by
19 radiologic imaging, and who does not interpret images, render
20 diagnoses, or prescribe medications or therapies.

21 334.1005. After January 1, 2021, no person shall perform
22 radiologic imaging or radiation therapy procedures on humans for
23 diagnostic or therapeutic purposes, except for persons licensed
24 as follows:

25 (1) Limited x-ray machine operators;

26 (2) Nuclear medical technologists;

27 (3) Radiation therapists;

1 (4) Radiographers;

2 (5) Radiologists; or

3 (6) Radiologist assistants.

4 336.080. 1. Every licensed optometrist who continues in
5 active practice or service shall, on or before the renewal date,
6 renew his or her license and pay the required renewal fee and
7 present satisfactory evidence to the board of his or her
8 attendance for a minimum of thirty-two hours of board-approved
9 continuing education, or their equivalent during the preceding
10 two-year continuing education reporting period as established by
11 rule and regulation. The board shall give credit for continuing
12 education hours performed by a optometrist on a volunteer basis
13 working within his or her professional scope of practice at a
14 nonprofit entity. The board shall determine how many hours of
15 continuing education credit shall be given for each hour of
16 volunteering and specify the maximum number of continuing
17 education credit hours that shall be given for volunteer work
18 under this subsection. The continuing education requirement may
19 be waived by the board upon presentation to it of satisfactory
20 evidence of the illness of the optometrist or for other good
21 cause as defined by rule and regulation. The board shall not
22 reject any such application if approved programs are not
23 available within the state of Missouri. Every license which has
24 not been renewed on or before the renewal date shall expire.

25 2. Any licensed optometrist who permits his or her license
26 to expire may renew it within five years of expiration upon
27 payment of the required reactivation fee and presentation of

1 satisfactory evidence to the board of his or her attendance for a
2 minimum of forty-eight hours of board-approved continuing
3 education, or their equivalent, during the five years.

4 337.020. 1. Each person desiring to obtain a license,
5 whether temporary, provisional or permanent, as a psychologist
6 shall make application to the committee upon such forms and in
7 such manner as may be prescribed by the committee and shall pay
8 the required application fee. The form shall include a statement
9 that the applicant has completed two hours of suicide assessment,
10 referral, treatment, and management training that meets the
11 guidelines developed by the committee. ~~【The committee shall not
12 charge an application fee until such time that the application
13 has been approved. In the event that an application is denied or
14 rejected, no application fee shall be charged.】~~ The application
15 fee shall not be refundable. Each application shall contain a
16 statement that it is made under oath or affirmation and that its
17 representations are true and correct to the best knowledge and
18 belief of the person signing the application, subject to the
19 penalties of making a false affidavit or declaration.

20 2. Each applicant, whether for temporary, provisional or
21 permanent licensure, shall submit evidence satisfactory to the
22 committee that the applicant is at least twenty-one years of age,
23 is of good moral character, and meets the appropriate educational
24 requirements as set forth in either section 337.021 or 337.025,
25 or is qualified for licensure without examination pursuant to
26 section 337.029. In determining the acceptability of the
27 applicant's qualifications, the committee may require evidence

1 that it deems reasonable and proper, in accordance with law, and
2 the applicant shall furnish the evidence in the manner required
3 by the committee.

4 3. The committee with assistance from the division shall
5 issue a permanent license to and register as a psychologist any
6 applicant who, in addition to having fulfilled the other
7 requirements of sections 337.010 to 337.090, passes the
8 examination for professional practice in psychology and such
9 other examinations in psychology which may be adopted by the
10 committee, except that an applicant fulfilling the requirement of
11 section 337.029 shall upon successful completion of the
12 jurisprudence examination and completion of the oral examination
13 be permanently licensed without having to retake the examination
14 for professional practice in psychology.

15 4. The committee, with assistance from the division, shall
16 issue a provisional license to, and register as being a
17 provisionally licensed psychologist, any applicant who is a
18 graduate of a recognized educational institution with a doctoral
19 degree in psychology as defined in section 337.025, and who
20 otherwise meets all requirements to become a licensed
21 psychologist, except for passage of the national and state
22 licensing exams, oral examination and completion of the required
23 period of postdegree supervised experience as specified in
24 subsection 2 of section 337.025.

25 5. A provisional license issued pursuant to subsection 4 of
26 this section shall only authorize and permit the applicant to
27 render those psychological services which are under the

1 supervision and the full professional responsibility and control
2 of such person's postdoctoral degree licensed supervisor. A
3 provisional license shall automatically terminate upon issuance
4 of a permanent license, upon a finding of cause to discipline
5 after notice and hearing pursuant to section 337.035, upon the
6 expiration of one year from the date of issuance whichever event
7 first occurs, or upon termination of supervision by the licensed
8 supervisor. The provisional license may be renewed after one
9 year with a maximum issuance of two years total per provisional
10 licensee. The committee by rule shall provide procedures for
11 exceptions and variances from the requirement of a maximum
12 issuance of two years due to vacations, illness, pregnancy and
13 other good causes.

14 6. The committee, with assistance from the division, shall
15 immediately issue a temporary license to any applicant for
16 licensure either by reciprocity pursuant to section 337.029, or
17 by endorsement of the score from the examination for professional
18 practice in psychology upon receipt of an application for such
19 licensure and upon proof that the applicant is either licensed as
20 a psychologist in another jurisdiction, is a diplomate of the
21 American Board of Professional Psychology, or is a member of the
22 National Register of Health Services Providers in Psychology.

23 7. A temporary license issued pursuant to subsection 6 of
24 this section shall authorize the applicant to practice psychology
25 in this state, the same as if a permanent license had been
26 issued. Such temporary license shall be issued without payment
27 of an additional fee and shall remain in full force and effect

1 until the earlier of the following events:

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

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

9 (3) In cases where the committee has found the applicant
10 ineligible for licensure and the applicant has taken an appeal to
11 the administrative hearing commission and the administrative
12 hearing commission has also found the applicant ineligible, then
13 upon the rendition by the administrative hearing commission of
14 its findings of fact and conclusions of law to such effect.

15 8. Written and oral examinations pursuant to sections
16 337.010 to 337.090 shall be administered by the committee at
17 least twice each year to any applicant who meets the educational
18 requirements set forth in either section 337.021 or 337.025 or to
19 any applicant who is seeking licensure either by reciprocity
20 pursuant to section 337.029, or by endorsement of the score from
21 the examination of professional practice in psychology. The
22 committee shall examine in the areas of professional knowledge,
23 techniques and applications, research and its interpretation,
24 professional affairs, ethics, and Missouri law and regulations
25 governing the practice of psychology. The committee may use, in
26 whole or in part, the examination for professional practice in
27 psychology national examination in psychology or such other

1 national examination in psychology which may be available.

2 9. If an applicant fails any examination, the applicant
3 shall be permitted to take a subsequent examination, upon the
4 payment of an additional reexamination fee. This reexamination
5 fee shall not be refundable.

6 337.029. 1. A psychologist licensed in another
7 jurisdiction who has had no violations and no suspensions and no
8 revocation of a license to practice psychology in any
9 jurisdiction may receive a license in Missouri, provided the
10 psychologist passes a written examination on Missouri laws and
11 regulations governing the practice of psychology and meets one of
12 the following criteria:

13 (1) Is a diplomate of the American Board of Professional
14 Psychology;

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

17 (3) ~~Is currently licensed or certified as a psychologist~~
18 ~~in another jurisdiction who is then a signatory to the~~
19 ~~Association of State and Provincial Psychology Board's~~
20 ~~reciprocity agreement;~~

21 ~~—(4)]~~ Is currently licensed or certified as a psychologist
22 in another state, territory of the United States, or the District
23 of Columbia and:

24 (a) Has a doctoral degree in psychology from a program
25 accredited, or provisionally accredited, either by the American
26 Psychological Association or the Psychological Clinical Science
27 Accreditation System, or that meets the requirements as set forth

1 in subdivision (3) of subsection 3 of section 337.025;

2 (b) Has been licensed for the preceding five years; and

3 (c) Has had no disciplinary action taken against the
4 license for the preceding five years; or

5 ~~[(5)]~~ (4) Holds a current certificate of professional
6 qualification (CPQ) issued by the Association of State and
7 Provincial Psychology Boards (ASPPB).

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

11 3. A psychologist who receives a license for the practice
12 of psychology in the state of Missouri on the basis of
13 reciprocity as listed in subsection 1 of this section or by
14 endorsement of the score from the examination of professional
15 practice in psychology score will also be eligible for and shall
16 receive certification from the committee as a health service
17 provider if the psychologist meets one or more of the following
18 criteria:

19 (1) Is a diplomate of the American Board of Professional
20 Psychology in one or more of the specialties recognized by the
21 American Board of Professional Psychology as pertaining to health
22 service delivery;

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

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

1 337.050. 1. There is hereby created and established a
2 "State Committee of Psychologists", which shall consist of seven
3 licensed psychologists and one public member. The state
4 committee of psychologists existing on August 28, 1989, is
5 abolished. Nothing in this section shall be construed to prevent
6 the appointment of any current member of the state committee of
7 psychologists to the new state committee of psychologists created
8 on August 28, 1989.

9 2. Appointments to the committee shall be made by the
10 governor upon the recommendations of the director of the
11 division, upon the advice and consent of the senate. The
12 division, prior to submitting nominations, shall solicit nominees
13 from professional psychological associations and licensed
14 psychologists in the state. The term of office for committee
15 members shall be five years, and committee members shall not
16 serve more than ten years. No person who has previously served
17 on the committee for ten years shall be eligible for appointment.
18 In making initial appointments to the committee, the governor
19 shall stagger the terms of the appointees so that two members
20 serve initial terms of two years, two members serve initial terms
21 of three years, and two members serve initial terms of four
22 years.

23 3. Each committee member shall be a resident of the state
24 of Missouri for one year, shall be a United States citizen, and
25 shall, other than the public member, have been licensed as a
26 psychologist in this state for at least three years. Committee
27 members shall reflect a diversity of practice specialties. To

1 ensure adequate representation of the diverse fields of
2 psychology, the committee shall consist of at least two
3 psychologists who are engaged full time in the doctoral teaching
4 and training of psychologists, and at least two psychologists who
5 are engaged full time in the professional practice of psychology.
6 In addition, the first appointment to the committee shall include
7 at least one psychologist who shall be licensed on the basis of a
8 master's degree who shall serve a full term of five years.
9 Nothing in sections 337.010 to 337.090 shall be construed to
10 prohibit full membership rights on the committee for
11 psychologists licensed on the basis of a master's degree. If a
12 member of the committee shall, during the member's term as a
13 committee member, remove the member's domicile from the state of
14 Missouri, then the committee shall immediately notify the
15 director of the division, and the seat of that committee member
16 shall be declared vacant. All such vacancies shall be filled by
17 appointment of the governor with the advice and consent of the
18 senate, and the member so appointed shall serve for the unexpired
19 term of the member whose seat has been declared vacant.

20 4. The public member shall be at the time of the public
21 member's appointment a citizen of the United States; a resident
22 of this state for a period of one year and a registered voter; a
23 person who is not and never was a member of any profession
24 licensed or regulated pursuant to sections 337.010 to 337.093 or
25 the spouse of such person; and a person who does not have and
26 never has had a material, financial interest in either the
27 providing of the professional services regulated by sections

1 337.010 to 337.093, or an activity or organization directly
2 related to any profession licensed or regulated pursuant to
3 sections 337.010 to 337.093. The duties of the public member
4 shall not include the determination of the technical requirements
5 to be met for licensure or whether any person meets such
6 technical requirements or of the technical competence or
7 technical judgment of a licensee or a candidate for licensure.

8 5. The committee shall hold a regular annual meeting at
9 which it shall select from among its members a chairperson and a
10 secretary. A quorum of the committee shall consist of a majority
11 of its members. In the absence of the chairperson, the secretary
12 shall conduct the office of the chairperson.

13 6. Each member of the committee shall receive, as
14 compensation, an amount set by the division not to exceed fifty
15 dollars for each day devoted to the affairs of the committee and
16 shall be entitled to reimbursement for necessary and actual
17 expenses incurred in the performance of the member's official
18 duties.

19 7. Staff for the committee shall be provided by the
20 director of the division of professional registration.

21 8. The governor may remove any member of the committee for
22 misconduct, inefficiency, incompetency, or neglect of office.

23 9. In addition to the powers set forth elsewhere in
24 sections 337.010 to 337.090, the division may adopt rules and
25 regulations, not otherwise inconsistent with sections 337.010 to
26 337.090, to carry out the provisions of sections 337.010 to
27 337.090. The committee may promulgate, by rule, "Ethical Rules

1 of Conduct" governing the practices of psychology which rules
2 shall be based upon the ethical principles promulgated and
3 published by the American Psychological Association.

4 10. Any rule or portion of a rule, as that term is defined
5 in section 536.010, that is promulgated to administer and enforce
6 sections 337.010 to 337.090, shall become effective only if the
7 agency has fully complied with all of the requirements of chapter
8 536 including but not limited to section 536.028 if applicable,
9 after August 28, 1998. All rulemaking authority delegated prior
10 to August 28, 1998, is of no force and effect and repealed as of
11 August 28, 1998, however nothing in this act shall be interpreted
12 to repeal or affect the validity of any rule adopted and
13 promulgated prior to August 28, 1998. If the provisions of
14 section 536.028 apply, the provisions of this section are
15 nonseverable and if any of the powers vested with the general
16 assembly pursuant to section 536.028 to review, to delay the
17 effective date, or to disapprove and annul a rule or portion of a
18 rule are held unconstitutional or invalid, the purported grant of
19 rulemaking authority and any rule so proposed and contained in
20 the order of rulemaking shall be invalid and void, except that
21 nothing in this act shall affect the validity of any rule adopted
22 and promulgated prior to August 28, 1998.

23 11. The committee may sue and be sued in its official name,
24 and shall have a seal which shall be affixed to all certified
25 copies or records and papers on file, and to such other
26 instruments as the committee may direct. All courts shall take
27 judicial notice of such seal. Copies of records and proceedings

1 of the committee, and of all papers on file with the division on
2 behalf of the committee certified under the seal shall be
3 received as evidence in all courts of record.

4 12. When applying for a renewal of a license pursuant to
5 section 337.030, each licensed psychologist shall submit proof of
6 the completion of at least forty hours of continuing education
7 credit within the two-year period immediately preceding the date
8 of the application for renewal of the license, with a minimum of
9 three of the forty hours of continuing education dedicated to
10 professional ethics. The type of continuing education to be
11 considered shall include, but not be limited to:

12 (1) Attending recognized educational seminars, the content
13 of which are primarily psychological, as defined by rule;

14 (2) Attending a graduate level course at a recognized
15 educational institution where the contents of which are primarily
16 psychological, as defined by rule;

17 (3) Presenting a recognized educational seminar, the
18 contents of which are primarily psychological, as defined by
19 rule;

20 (4) Presenting a graduate level course at a recognized
21 educational institution where the contents of which are primarily
22 psychological, as defined by rule; and

23 (5) Independent course of studies, the contents of which
24 are primarily psychological, which have been approved by the
25 committee and defined by rule.

26
27 The committee shall determine by administrative rule the amount

1 of training, instruction, self-instruction or teaching that shall
2 be counted as an hour of continuing education credit. The
3 committee shall give credit for continuing education hours
4 performed by a psychologist on a volunteer basis working within
5 his or her professional scope of practice at a nonprofit entity.
6 The board shall determine how many hours of continuing education
7 credit shall be given for each hour of volunteering and specify
8 the maximum number of continuing education credit hours that
9 shall be given for volunteer work under this subsection.

10 436.218. As used in sections 436.215 to 436.272, the
11 following terms mean:

12 (1) "Agency contract", an agreement in which a student
13 athlete authorizes a person to negotiate or solicit on behalf of
14 the student athlete a professional sports services contract or an
15 endorsement contract;

16 (2) "Athlete agent" [~~, an individual who enters into an~~
17 ~~agency contract with a student athlete or directly or indirectly~~
18 ~~recruits or solicits a student athlete to enter into an agency~~
19 ~~contract. The term does not include a spouse, parent, sibling,~~
20 ~~grandparent, or guardian of the student athlete or an individual~~
21 ~~acting solely on behalf of a professional sports team or~~
22 ~~professional sports organization. The term includes an~~
23 ~~individual who represents to the public that the individual is an~~
24 ~~athlete agent] .~~

25 (a) An individual, registered or unregistered under
26 sections 436.215 to 436.272, who:

27 a. Directly or indirectly recruits or solicits a student

1 athlete to enter into an agency contract or, for compensation,
2 procures employment or offers, promises, attempts, or negotiates
3 to obtain employment for a student athlete as a professional
4 athlete or member of a professional sports team or organization;

5 b. For compensation or in anticipation of compensation
6 related to a student athlete's participation in athletics:

7 (i) Serves the student athlete in an advisory capacity on a
8 matter related to finances, business pursuits, or career
9 management decisions, unless the individual is an employee of an
10 educational institution acting exclusively as an employee of the
11 institution for the benefit of the institution; or

12 (ii) Manages the business affairs of the student athlete by
13 providing assistance with bills, payments, contracts, or taxes;
14 or

15 c. In anticipation of representing a student athlete for a
16 purpose related to the student athlete's participation in
17 athletics:

18 (i) Gives consideration to the student athlete or another
19 person;

20 (ii) Serves the student athlete in an advisory capacity on
21 a matter related to finances, business pursuits, or career
22 management decisions; or

23 (iii) Manages the business affairs of the student athlete
24 by providing assistance with bills, payments, contracts, or
25 taxes;

26 (b) "Athlete agent" does not include an individual who:

27 a. Acts solely on behalf of a professional sports team or

1 organization; or

2 b. Is a licensed, registered, or certified professional and
3 offers or provides services to a student athlete customarily
4 provided by members of the profession, unless the individual:

5 (i) Recruits or solicits the student athlete to enter into
6 an agency contract;

7 (ii) For compensation, procures employment or offers,
8 promises, attempts, or negotiates to obtain employment for the
9 student athlete as a professional athlete or member of a
10 professional sports team or organization; or

11 (iii) Receives consideration for providing the services
12 calculated using a different method than for an individual who is
13 not a student athlete;

14 (3) "Athletic director", an individual responsible for
15 administering the overall athletic program of an educational
16 institution or, if an educational institution has separately
17 administered athletic programs for male students and female
18 students, the athletic program for males or the athletic program
19 for females, as appropriate;

20 (4) ~~["Contact", a direct or indirect communication between~~
21 ~~an athlete agent and a student athlete to recruit or solicit the~~
22 ~~student athlete to enter into an agency contract;~~

23 ~~—(5)]~~ "Director", the director of the division of
24 professional registration;

25 ~~[(6)]~~ (5) "Division", the division of professional
26 registration;

27 (6) "Educational institution", a public or private

1 elementary school, secondary school, technical or vocational
2 school, community college, college, or university;

3 (7) "Endorsement contract", an agreement under which a
4 student athlete is employed or receives consideration to use on
5 behalf of the other party any value that the student athlete may
6 have because of publicity, reputation, following, or fame
7 obtained because of athletic ability or performance;

8 (8) "Enrolled" or "enrolls", the act of registering, or
9 having already registered, for courses at an educational
10 institution and attending or planning to attend athletic practice
11 or class;

12 (9) "Intercollegiate sport", a sport played at the
13 collegiate level for which eligibility requirements for
14 participation by a student athlete are established by a national
15 association for the promotion or regulation of collegiate
16 athletics;

17 (10) "Interscholastic sport", a sport played between
18 educational institutions that are not community colleges,
19 colleges, or universities;

20 (11) "Licensed, registered, or certified professional", an
21 individual licensed, registered, or certified as an attorney,
22 dealer in securities, financial planner, insurance agent, real
23 estate broker or sales agent, tax consultant, accountant, or
24 member of a profession, other than that of athlete agent, who is
25 licensed, registered, or certified by the state or a nationally
26 recognized organization that licenses, registers, or certifies
27 members of the profession on the basis of experience, education,

1 or testing;

2 ~~[(9)]~~ (12) "Person", an individual, corporation, business
3 trust, estate, trust, partnership, limited liability company,
4 association, joint venture, government, governmental subdivision,
5 agency, or instrumentality, public corporation, or any other
6 legal or commercial entity;

7 ~~[(10)]~~ (13) "Professional sports services contract", an
8 agreement under which an individual is employed ~~[or]~~ as a
9 professional athlete and agrees to render services as a player on
10 a professional sports team~~[,]~~ or with a professional sports
11 organization~~[, or as a professional athlete];~~;

12 ~~[(11)]~~ (14) "Record", information that is inscribed on a
13 tangible medium or that is stored in an electronic or other
14 medium and is retrievable in perceivable form;

15 (15) "Recruit or solicit", an attempt to influence the
16 choice of an athlete agent by a student athlete or, if the
17 student athlete is a minor, a parent or guardian of the student
18 athlete. "Recruit or solicit" does not include giving advice on
19 the selection of a particular agent in a family, coaching, or
20 social situation unless the individual giving the advice does so
21 because of the receipt or anticipated receipt of an economic
22 benefit, directly or indirectly, from the agent;

23 ~~[(12)]~~ (16) "Registration", registration as an athlete
24 agent under sections 436.215 to 436.272;

25 (17) "Sign", the intent to authenticate or adopt a record:

26 (a) To execute or adopt a tangible symbol; or

27 (b) To attach to or logically associate with the record an

1 electronic symbol, sound, or process;

2 ~~[(13)]~~ (18) "State", a state of the United States, the
3 District of Columbia, Puerto Rico, the United States Virgin
4 Islands, or any territory or insular possession subject to the
5 jurisdiction of the United States;

6 ~~[(14)]~~ (19) "Student athlete", ~~[a current student who~~
7 ~~engages in, has engaged in, is eligible to engage in, or may be~~
8 ~~eligible in the future to engage in, any intercollegiate sport]~~
9 an individual who is eligible to attend an educational
10 institution and engages in, is eligible to engage in, or may be
11 eligible in the future to engage in any interscholastic or
12 intercollegiate sport. "Student athlete" does not include an
13 individual permanently ineligible to participate in a particular
14 interscholastic or intercollegiate sport.

15 436.224. 1. Except as otherwise provided in subsection 2
16 of this section, an individual may not act as an athlete agent in
17 this state ~~[before]~~ without being issued a certificate of
18 registration under section 436.230 or 436.236.

19 2. ~~[An individual with a temporary license]~~ Before being
20 issued a certificate of registration under section 436.236, an
21 individual may act as an athlete agent ~~[before being issued a~~
22 ~~certificate of registration]~~ for all purposes except signing an
23 agency contract if:

24 (1) A student athlete or another acting on behalf of the
25 student athlete initiates communication with the individual; and

26 (2) Within seven days after an initial act ~~[as an athlete~~
27 ~~agent]~~ that requires the individual to register as an athlete

1 agent, the individual submits an application to register as an
2 athlete agent in this state.

3 3. An agency contract resulting from conduct in violation
4 of this section is void. The athlete agent shall return any
5 consideration received under the contract.

6 436.227. 1. An applicant for registration shall submit an
7 application for registration to the director in a form prescribed
8 by the director. The application [~~must~~] shall be in the name of
9 an individual and signed by the applicant under penalty of
10 perjury and [~~must~~] shall state or contain at least the following:

11 (1) The name, date of birth, and place of birth of the
12 applicant [~~and~~];

13 (2) The address and telephone numbers of the applicant's
14 principal place of business;

15 (3) The applicant's mobile telephone numbers and any means
16 of communicating electronically, including a facsimile number,
17 email address, and personal, business, or employer websites, as
18 applicable;

19 [~~(2)~~] (4) The name of the applicant's business or employer,
20 if applicable, including for each business or employer, the
21 mailing address, telephone number, organization form, and the
22 nature of the business;

23 (5) Each social media account with which the applicant or
24 the applicant's business or employer is affiliated;

25 [~~(3)~~] (6) Any business or occupation engaged in by the
26 applicant for the five years [~~next~~] preceding the date of
27 submission of the application, including self-employment and

1 employment by others, and any professional or occupational
2 license, registration, or certification held by the applicant
3 during that time;

4 ~~[(4)]~~ (7) A description of the applicant's:

5 (a) Formal training as an athlete agent;

6 (b) Practical experience as an athlete agent; and

7 (c) Educational background relating to the applicant's
8 activities as an athlete agent;

9 ~~[(5) The names and addresses of three individuals not
10 related to the applicant who are willing to serve as references;~~

11 ~~— (6)]~~ (8) The name ~~[, sport, and last known team for each~~
12 ~~individual]~~ of each student athlete for whom the applicant
13 ~~[provided services]~~ acted as an athlete agent during the five
14 years ~~[next]~~ preceding the date of submission of the application
15 or, if the student athlete is a minor, the name of the parent or
16 guardian of the minor, together with the student athlete's sport
17 and last known team;

18 ~~[(7)]~~ (9) The names and addresses of all persons who are:

19 (a) With respect to the athlete agent's business if it is
20 not a corporation, the partners, officers, managers, associates,
21 or profit-sharers, or persons who directly or indirectly hold an
22 equity interest of five percent or greater; and

23 (b) With respect to a corporation employing the ~~[athlete~~
24 ~~agent]~~ applicant, the officers, directors, and any shareholder of
25 the corporation with a five percent or greater interest;

26 (10) A description of the status of any application by the
27 applicant, or any person named under subdivision (9) of this

1 subsection, for a state or federal business, professional, or
2 occupational license, other than as an athlete agent, from a
3 state or federal agency, including any denial, refusal to renew,
4 suspension, withdrawal, or termination of the license and any
5 reprimand or censure related to the license;

6 ~~[(8)]~~ (11) Whether the applicant or any other person named
7 under subdivision ~~[(7)]~~ (9) of this section has ~~[been convicted]~~
8 pled guilty to or been found guilty of a crime that if committed
9 in this state would be a felony or other crime involving moral
10 turpitude, and ~~[a description of]~~ information regarding the
11 crime, including the crime, the law enforcement agency involved,
12 and, if applicable, the date of the verdict and the penalty
13 imposed;

14 (12) Whether, within fifteen years before the date of
15 application, the applicant or any person named under subdivision
16 (9) of this subsection has been a defendant or respondent in a
17 civil proceeding, including a proceeding seeking an adjudication
18 of legal incompetence and, if so, the date and a full explanation
19 of each proceeding;

20 (13) Whether the applicant or any person named under
21 subdivision (9) of this subsection has an unsatisfied judgment or
22 a judgment of continuing effect, including alimony or a domestic
23 order in the nature of child support, that is not current on the
24 date of the application;

25 (14) Whether, within ten years before the date of
26 application, the applicant or any person named under subdivision

1 (9) of this subsection was adjudicated bankrupt or was an owner
2 of a business that was adjudicated bankrupt;

3 ~~[(9)]~~ (15) Whether there has been any administrative or
4 judicial determination that the applicant or any other person
5 named under subdivision ~~[(7)]~~ (9) of this section has made a
6 false, misleading, deceptive, or fraudulent representation;

7 ~~[(10)]~~ (16) Any instance in which the prior conduct of the
8 applicant or any other person named under subdivision ~~[(7)]~~ (9)
9 of this section resulted in the imposition of a sanction,
10 suspension, or declaration of ineligibility to participate in an
11 interscholastic or intercollegiate athletic event on a student
12 athlete or educational institution;

13 ~~[(11)]~~ (17) Any sanction, suspension, or disciplinary
14 action taken against the applicant or any other person named
15 under subdivision ~~[(7)]~~ (9) of this section arising out of
16 occupational or professional conduct; ~~[and]~~

17 ~~[(12)]~~ (18) Whether there has been any denial of an
18 application for, suspension or revocation of, or refusal to renew
19 the registration or licensure of the applicant or any other
20 person named under subdivision ~~[(7)]~~ (9) of this section as an
21 athlete agent in any state;

22 (19) Each state in which the applicant is currently
23 registered as an athlete agent or has applied to be registered as
24 an athlete agent;

25 (20) If the applicant is certified or registered by a
26 professional league or players association:

27 (a) The name of the league or association;

1 (b) The date of certification or registration, and the date
2 of expiration of the certification or registration, if any; and

3 (c) If applicable, the date of any denial of an application
4 for, suspension or revocation of, refusal to renew, withdrawal
5 of, or termination of the certification or registration or any
6 reprimand or censure related to the certification or
7 registration; and

8 (21) Any additional information as required by the
9 director.

10 2. In lieu of submitting the application and information
11 required under subsection 1 of this section, an applicant who is
12 registered as an athlete agent in another state may apply for
13 registration as an athlete agent by submitting the following:

14 (1) A copy of the application for registration in the other
15 state;

16 (2) A statement that identifies any material change in the
17 information on the application or verifies there is no material
18 change in the information, signed under penalty of perjury; and

19 (3) A copy of the certificate of registration from the
20 other state.

21 3. The director shall issue a certificate of registration
22 to an applicant who applies for registration under subsection 2
23 of this section if the director determines:

24 (1) The application and registration requirements of the
25 other state are substantially similar to or more restrictive than
26 the requirements provided under sections 436.215 to 436.272; and

1 (2) The registration has not been revoked or suspended and
2 no action involving the applicant's conduct as an athlete agent
3 is pending against the applicant or the applicant's registration
4 in any state.

5 4. For purposes of implementing subsection 3 of this
6 section, the director shall:

7 (1) Cooperate with national organizations concerned with
8 athlete agent issues and agencies in other states that register
9 athlete agents to develop a common registration form and
10 determine which states have laws that are substantially similar
11 to or more restrictive than sections 436.215 to 436.272; and

12 (2) Exchange information, including information related to
13 actions taken against registered athlete agents or their
14 registrations, with those organizations and agencies.

15 436.230. 1. Except as otherwise provided in subsection 2
16 of this section, the director shall issue a certificate of
17 registration to an individual who complies with section 436.227.

18 2. The director may refuse to issue a certificate of
19 registration if the director determines that the applicant has
20 engaged in conduct that has a significant adverse effect on the
21 applicant's fitness to serve as an athlete agent. In making the
22 determination, the director may consider whether the applicant
23 has:

24 (1) Been convicted of a crime that if committed in this
25 state would be a felony or other crime involving moral turpitude;

26 (2) Made a materially false, misleading, deceptive, or
27 fraudulent representation as an athlete agent or in the

1 application;

2 (3) Engaged in conduct that would disqualify the applicant
3 from serving in a fiduciary capacity;

4 (4) Engaged in conduct prohibited by section 436.254;

5 (5) Had a registration or licensure as an athlete agent
6 suspended, revoked, or denied or been refused renewal of
7 registration or licensure in any state;

8 (6) Engaged in conduct or failed to engage in conduct the
9 consequence of which was that a sanction, suspension, or
10 declaration of ineligibility to participate in an interscholastic
11 or intercollegiate athletic event was imposed on a student
12 athlete or educational institution; or

13 (7) Engaged in conduct that significantly adversely
14 reflects on the applicant's credibility, honesty, or integrity.

15 3. In making a determination under subsection ~~[3]~~ 2 of this
16 section, the director shall consider:

17 (1) How recently the conduct occurred;

18 (2) The nature of the conduct and the context in which it
19 occurred; and

20 (3) Any other relevant conduct of the applicant.

21 4. An athlete agent may apply to renew a registration by
22 submitting an application for renewal in a form prescribed by the
23 director. The application for renewal ~~[must]~~ shall be signed by
24 the applicant under penalty of perjury under section 575.040 and
25 shall contain current information on all matters required in an
26 original registration.

1 5. An athlete agent registered under subsection 3 of
2 section 436.227 may renew the registration by proceeding under
3 subsection 4 of this section or, if the registration in the other
4 state has been renewed, by submitting to the director copies of
5 the application for renewal in the other state and the renewed
6 registration from the other state. The director shall renew the
7 registration if the director determines:

8 (1) The registration requirements of the other state are
9 substantially similar to or more restrictive than the
10 requirements provided under sections 436.215 to 436.272; and

11 (2) The renewed registration has not been suspended or
12 revoked and no action involving the individual's conduct as an
13 athlete agent is pending against the individual or the
14 individual's registration in any state.

15 6. A certificate of registration or a renewal of a
16 registration is valid for two years.

17 436.236. The director may issue a temporary certificate of
18 registration ~~valid for sixty days~~ while an application for
19 registration or renewal is pending.

20 436.242. 1. An agency contract ~~must~~ shall be in a record
21 signed by the parties.

22 2. An agency contract ~~must~~ shall state or contain:

23 (1) A statement that the athlete agent is registered as an
24 athlete agent in this state and a list of any other states in
25 which the agent is registered as an athlete agent;

26 (2) The amount and method of calculating the consideration
27 to be paid by the student athlete for services to be provided by

1 the athlete agent under the contract and any other consideration
2 the athlete agent has received or will receive from any other
3 source for entering into the contract or for providing the
4 services;

5 ~~[(2)]~~ (3) The name of any person not listed in the
6 application for registration or renewal who will be compensated
7 because the student athlete signed the agency contract;

8 ~~[(3)]~~ (4) A description of any expenses that the student
9 athlete agrees to reimburse;

10 ~~[(4)]~~ (5) A description of the services to be provided to
11 the student athlete;

12 ~~[(5)]~~ (6) The duration of the contract; and

13 ~~[(6)]~~ (7) The date of execution.

14 3. An agency contract shall contain in close proximity to
15 the signature of the student athlete a conspicuous notice in
16 boldface type in capital letters stating:

17 "WARNING TO STUDENT ATHLETE IF YOU SIGN THIS CONTRACT:

18 (1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT
19 ATHLETE IN YOUR SPORT;

20 (2) BOTH YOU AND YOUR ATHLETE AGENT ARE REQUIRED TO TELL
21 YOUR ATHLETIC DIRECTOR, IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN
22 72 HOURS AFTER ENTERING INTO AN AGENCY CONTRACT OR BEFORE THE
23 NEXT ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS
24 FIRST, AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE
25 ATHLETE AGENT; AND

26 (3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER
27 SIGNING IT. CANCELLATION OF THE CONTRACT MAY NOT REINSTATE YOUR

1 ELIGIBILITY."

2 4. An agency contract shall be accompanied by a separate
3 record signed by the student athlete or, if the student athlete
4 is a minor, the parent or guardian of the student athlete
5 acknowledging that signing the contract may result in the loss of
6 the student athlete's eligibility to participate in the student
7 athlete's sport.

8 5. An agency contract that does not conform to this section
9 is voidable by the student athlete or, if the student athlete is
10 a minor, by the parent or guardian of the student athlete. If
11 the contract is voided, any consideration received by the student
12 athlete from the athlete agent under the contract to induce
13 entering into the contract is not required to be returned.

14 ~~[5.]~~ 6. The athlete agent shall give a copy of the signed
15 agency contract to the student athlete or, if the student athlete
16 is a minor, to the parent or guardian of the student athlete ~~[at~~
17 ~~the time of signing]~~.

18 7. If a student athlete is a minor, an agency contract
19 shall be signed by the parent or guardian of the minor, and the
20 notice required by subsection 3 of this section shall be revised
21 accordingly.

22 436.245. 1. As used in this section, "communicating or
23 attempting to communicate" shall mean contacting or attempting to
24 contact by an in-person meeting, a record, or any other method
25 that conveys or attempts to convey a message.

26 2. Within seventy-two hours after entering into an agency
27 contract or before the next scheduled athletic event in which the

1 student athlete may participate, whichever occurs first, the
2 athlete agent shall give notice in ~~[writing]~~ a record of the
3 existence of the contract to the athletic director of the
4 educational institution at which the student athlete is enrolled
5 or the athlete agent has reasonable grounds to believe the
6 student athlete intends to enroll.

7 3. If an athlete agent enters into an agency contract with
8 a student athlete and the student athlete subsequently enrolls at
9 an educational institution, the athlete agent shall notify the
10 athletic director of the educational institution of the existence
11 of the contract within seventy-two hours after the agent knows or
12 should have known the student athlete enrolled.

13 4. If an athlete agent has a relationship with a student
14 athlete before the student athlete enrolls in an educational
15 institution and receives an athletic scholarship from the
16 educational institution, the athlete agent shall notify the
17 athletic director of the educational institution of the
18 relationship no later than ten days after the enrollment if the
19 athlete agent knows or should have known of the enrollment and:

20 (1) The relationship was motivated in whole or in part by
21 the intention of the athlete agent to recruit or solicit the
22 student athlete to enter an agency contract in the future; or

23 (2) The athlete agent directly or indirectly recruited or
24 solicited the student athlete to enter an agency contract before
25 the enrollment.

26 5. An athlete agent shall give notice in a record to the
27 athletic director of any educational institution at which a

1 student athlete is enrolled before the agent communicates or
2 attempts to communicate with:

3 (1) The student athlete or, if the student athlete is a
4 minor, a parent or guardian of the student athlete to influence
5 the student athlete or parent or guardian to enter into an agency
6 contract; or

7 (2) Another individual to have that individual influence
8 the student athlete or, if the student athlete is a minor, the
9 parent or guardian of the student athlete to enter into an agency
10 contract.

11 6. If a communication or attempted communication with an
12 athlete agent is initiated by a student athlete or another
13 individual on behalf of the student athlete, the athlete agent
14 shall give notice in a record to the athletic director of any
15 educational institution at which the student athlete is enrolled.
16 The notification shall be made no later than ten days after the
17 communication or attempted communication.

18 7. An educational institution that becomes aware of a
19 violation of sections 436.215 to 436.272 by an athlete agent
20 shall notify the director of the violation and any professional
21 league or players' association with which the educational
22 institution is aware the agent is licensed or registered.

23 ~~[2-]~~ 8. Within seventy-two hours after entering into an
24 agency contract or before the next athletic event in which the
25 student athlete may participate, whichever occurs first, the
26 student athlete shall in ~~[writing]~~ a record inform the athletic
27 director of the educational institution at which the student

1 athlete is enrolled that he or she has entered into an agency
2 contract and the name and contact information of the athlete
3 agent.

4 436.248. 1. A student athlete or, if the student athlete
5 is a minor, the parent or guardian of the student athlete may
6 cancel an agency contract by giving notice in writing to the
7 athlete agent of the cancellation within fourteen days after the
8 contract is signed.

9 2. A student athlete or, if the student athlete is a minor,
10 the parent or guardian of the student athlete may not waive the
11 right to cancel an agency contract.

12 3. If a student athlete, parent, or guardian cancels an
13 agency contract within fourteen days of signing the contract, the
14 student athlete, parent, or guardian is not required to pay any
15 consideration under the contract or to return any consideration
16 received from the agent to induce the student athlete to enter
17 into the contract.

18 436.254. [~~1-~~] An athlete agent [~~may~~] shall not
19 intentionally [~~do any of the following with the intent to induce~~
20 ~~a student athlete to enter into an agency contract~~]:

21 (1) Give [~~any~~] a student athlete or, if the student athlete
22 is a minor, a parent or guardian of the student athlete
23 materially false or misleading information or make a materially
24 false promise or representation with the intent to influence the
25 student athlete, parent, or guardian to enter into an agency
26 contract;

27 (2) Furnish anything of value to a student athlete [~~before~~

1 ~~the student athlete enters into the agency contract;~~] or another
2 individual, if to do so may result in loss of the student
3 athlete's eligibility to participate in the student athlete's
4 sport, unless:

5 (a) The athlete agent notifies the athletic director of the
6 educational institution at which the student athlete is enrolled
7 or at which the athlete agent has reasonable grounds to believe
8 the student athlete intends to enroll, no later than seventy-two
9 hours after giving the thing of value; and

10 (b) The student athlete or, if the student athlete is a
11 minor, a parent or guardian of the student athlete acknowledges
12 to the athlete agent in a record that receipt of the thing of
13 value may result in loss of the student athlete's eligibility to
14 participate in the student athlete's sport;

15 (3) ~~[Furnish anything of value to any individual other than~~
16 ~~the student athlete or another registered athlete agent.~~

17 ~~2. An athlete agent may not intentionally:~~

18 ~~—(1)]~~ Initiate contact, directly or indirectly, with a
19 student athlete or, if the student athlete is a minor, a parent
20 or guardian of the student athlete to recruit or solicit the
21 student athlete, parent, or guardian to enter into an agency
22 contract unless registered under sections 436.215 to 436.272;

23 ~~[(2) Refuse or willfully]~~ (4) Fail to create, retain, or
24 permit inspection of the records required by section 436.251;

25 ~~[(3) Violate section 436.224 by failing]~~ (5) Fail to
26 register if required under section 436.224;

1 ~~[(4)]~~ (6) Provide materially false or misleading
2 information in an application for registration or renewal of
3 registration;

4 ~~[(5)]~~ (7) Predate or postdate an agency contract; ~~[or~~
5 ~~——(6)]~~ (8) Fail to notify a student athlete or, if the
6 student athlete is a minor, a parent or guardian of the student
7 athlete ~~[prior to]~~ before the student ~~[athlete's]~~ athlete,
8 parent, or guardian ~~[signing]~~ signs an agency contract for a
9 particular sport that the signing ~~[by the student athlete]~~ may
10 ~~[make the student athlete ineligible]~~ result in loss of the
11 student athlete's eligibility to participate ~~[as a student~~
12 ~~athlete in that]~~ in the student athlete's sport;

13 (9) Encourage another individual to do any of the acts
14 described in subdivisions (1) to (8) of this subsection on behalf
15 of the athlete agent; or

16 (10) Encourage another individual to assist any other
17 individual in doing any of the acts described in subdivisions (1)
18 to (8) of this subsection on behalf of the athlete agent.

19 436.260. 1. An educational institution ~~[has a right of]~~ or
20 a student athlete may bring an action for damages against an
21 athlete agent ~~[or a former student athlete for damages caused by~~
22 ~~a]~~ if the institution or student athlete is adversely affected by
23 an act or omission of the athlete agent in violation of sections
24 436.215 to 436.272. [In an action under this section, the court
25 may award to the prevailing party costs and reasonable attorney's
26 fees.]

1 (1) In order for a student athlete to qualify as "adversely
2 affected by an act or omission of the athlete agent" under this
3 section, the student athlete shall demonstrate that he or she was
4 a student athlete and enrolled at the institution at the time the
5 act or omission of the athlete agent occurred and that he or she:

6 (a) Was suspended or disqualified from participation in an
7 interscholastic or intercollegiate sports event by a state or
8 national federation or association that promotes or regulates
9 interscholastic or intercollegiate sports; or

10 (b) Suffered financial damage; and

11 (2) In order for an educational institution to qualify as
12 "adversely affected by an act or omission of the athlete agent"
13 under this section, the institution shall demonstrate that the
14 institution:

15 (a) Was disqualified from participation in an
16 interscholastic or intercollegiate sports event by a state or
17 national federation or association that promotes or regulates
18 interscholastic or intercollegiate sports; or

19 (b) Suffered financial damage.

20 ~~2. [Damages of an educational institution under subsection~~
21 ~~1 of this section include losses and expenses incurred because as~~
22 ~~a result of the activities of an athlete agent or former student~~
23 ~~athlete the educational institution was injured by a violation of~~
24 ~~sections 436.215 to 436.272 or was penalized, disqualified, or~~
25 ~~suspended from participation in athletics by a national~~
26 ~~association for the promotion and regulation of athletics, by an~~
27 ~~athletic conference, or by reasonable self-imposed disciplinary~~

1 ~~action taken to mitigate sanctions.]~~ A plaintiff who prevails in
2 an action under this section may recover actual damages, costs,
3 and reasonable attorney's fees. An athlete agent found liable
4 under this section forfeits any right of payment for anything of
5 benefit or value provided to the student athlete and shall refund
6 any consideration paid to the athlete agent by or on behalf of
7 the student athlete.

8 3. ~~[A right of action under this section does not accrue~~
9 ~~until the educational institution discovers or by the exercise of~~
10 ~~reasonable diligence would have discovered the violation by the~~
11 ~~athlete agent or former student athlete.~~

12 ~~4. Any liability of the athlete agent or the former student~~
13 ~~athlete under this section is several and not joint.~~

14 ~~5. Sections 436.215 to 436.272 do not restrict rights,~~
15 ~~remedies, or defenses of any person under law or equity.]~~ A
16 violation of any provision of sections 436.215 to 436.272 is an
17 unfair trade practice for purposes of sections 375.930 to
18 375.948.

19 436.263. Any ~~[person]~~ individual who violates any
20 ~~[provisions]~~ provision of sections 436.215 to ~~[436.269]~~ 436.272
21 is guilty of a class A misdemeanor and liable for a civil penalty
22 not to exceed fifty thousand dollars.

23 436.266. In applying and construing sections 436.215 to
24 436.272, consideration ~~[must]~~ shall be given to the need to
25 promote uniformity of the law with respect to the subject matter
26 of sections 436.215 to 436.272 among states that enact it.

1
2 ~~[324.009. 1. For purposes of this section, the~~
3 ~~following terms mean:~~

4 ~~(1) "License", a license, certificate,~~
5 ~~registration, permit, or accreditation that enables a~~
6 ~~person to legally practice an occupation or profession~~
7 ~~in a particular jurisdiction; except that "license"~~
8 ~~shall not include a certificate of license to teach in~~
9 ~~public schools under section 168.021;~~

10 ~~(2) "Nonresident military spouse", a nonresident~~
11 ~~spouse of an active duty member of the Armed Forces of~~
12 ~~the United States who has been transferred or is~~
13 ~~scheduled to be transferred to the state of Missouri,~~
14 ~~or who has been transferred or is scheduled to be~~
15 ~~transferred to an adjacent state and is or will be~~
16 ~~domiciled in the state of Missouri, or has moved to~~
17 ~~the state of Missouri on a permanent change-of-station~~
18 ~~basis;~~

19 ~~(3) "Oversight body", any board, department,~~
20 ~~agency, or office of a jurisdiction that issues~~
21 ~~licenses; except, for the purposes of this section,~~
22 ~~oversight body shall not include the state board of~~
23 ~~registration for the healing arts, the state board of~~
24 ~~nursing, the board of pharmacy, the state committee of~~
25 ~~psychologists, the Missouri dental board, the Missouri~~
26 ~~board for architects, professional engineers,~~
27 ~~professional land surveyors and professional landscape~~
28 ~~architects, the state board of optometry, or the~~
29 ~~Missouri veterinary medical board;~~

30 ~~(4) "Resident military spouse", a spouse of an~~
31 ~~active duty member of the Armed Forces of the United~~
32 ~~States who has been transferred or is scheduled to be~~
33 ~~transferred to the state of Missouri or an adjacent~~
34 ~~state and who is a permanent resident of the state of~~
35 ~~Missouri, who is domiciled in the state of Missouri, or~~
36 ~~who has Missouri as his or her home of record.~~

37 ~~2. Any person who is a resident of Missouri, a~~
38 ~~resident military spouse, or a nonresident military~~
39 ~~spouse and who holds a valid current license issued by~~
40 ~~another state, territory of the United States, or the~~
41 ~~District of Columbia may submit an application for a~~
42 ~~license in Missouri in the same occupation or~~
43 ~~profession for which he or she holds the current~~
44 ~~license, along with proof of current licensure in [the]~~
45 ~~all other [jurisdiction] jurisdictions, to the relevant~~
46 ~~oversight body in this state.~~

47 ~~3. The oversight body in this state shall[,]:~~

~~(1) Within six months of receiving an application described in subsection 2 of this section from a resident of Missouri, waive any examination, educational, or experience requirements for licensure in this state for the applicant if it determines that the licensing requirements in the jurisdiction that issued the applicant's license are substantially similar to or more stringent than the licensing requirements in Missouri for the same occupation or profession and shall issue such applicant a license under this section if such applicant otherwise meets the requirements of this section; or~~

~~(2) Within thirty days of receiving an application described in subsection 2 of this section from a nonresident military spouse or a resident military spouse, waive any examination, educational, or experience requirements for licensure in this state for the applicant and issue such applicant a license under this section if such applicant otherwise meets the requirements of this section.~~

~~4. The oversight body shall not waive any examination, educational, or experience requirements for any applicant who is currently under disciplinary action with an oversight body outside the state or who does not hold a valid current license in the other jurisdiction on the date the oversight body receives his or her application under this section.~~

~~5. The oversight body shall not waive any examination, educational, or experience requirements for any applicant if it determines that waiving the requirements for the applicant may endanger the public health, safety, or welfare.~~

~~6. Nothing in this section shall prohibit the oversight body from denying a license to an applicant under this section for any reason described in any section associated with the occupation or profession for which the applicant seeks a license.~~

~~7. This section shall not be construed to waive any requirement for an applicant to pay any fees, post any bonds or surety bonds, or submit proof of insurance associated with the license the applicant seeks.~~

~~8. This section shall not apply to business, professional, or occupational licenses issued or required by political subdivisions.~~

~~9. The provisions of this section shall not be construed to alter the authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or interstate compacts adopted by~~

1 ~~Missouri statute or any reciprocity agreements with~~
2 ~~other states [in effect on August 28, 2018, and~~
3 ~~whenever possible this section shall be interpreted so~~
4 ~~as to imply no conflict between it and any compact, or~~
5 ~~any reciprocity agreements with other states in effect~~
6 ~~on August 28, 2018]. If any conflict arises between~~
7 ~~the provisions of this section and the provisions of~~
8 ~~any interjurisdictional or interstate compact or~~
9 ~~reciprocity agreement, the provisions of such compact~~
10 ~~or agreement shall prevail. If a conflict arises~~
11 ~~between the provisions of this section and any federal~~
12 ~~law or rule, the provisions of the federal law or rule~~
13 ~~shall prevail.~~

14 ~~10. For the purposes of this section, resident~~
15 ~~military spouses and nonresident military spouses shall~~
16 ~~be eligible to apply for a license with any board,~~
17 ~~department, agency, or office of a jurisdiction that~~
18 ~~issues licenses including, but not limited to, the~~
19 ~~state board of registration for the healing arts; the~~
20 ~~state board of nursing; the board of pharmacy; the~~
21 ~~state committee of psychologists; the Missouri dental~~
22 ~~board; the Missouri board for architects, professional~~
23 ~~engineers, professional land surveyors, and~~
24 ~~professional landscape architects; the state board of~~
25 ~~optometry; and the Missouri veterinary medical board.]~~

26
27 ~~[436.257. The commission of any act prohibited by~~
28 ~~section 436.254 by an athlete agent is a class B~~
29 ~~misdemeanor.]~~