

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2046

100TH GENERAL ASSEMBLY

4438H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to professional license reciprocity.

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

Section A. Section 324.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.009, to read as follows:

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

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

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

2. Any ~~resident of Missouri~~ **person** who holds a valid current license issued by another state, a territory of the United States, or the District of Columbia, **and who has been licensed for at least one year in such other jurisdiction**, may submit an application for a license in Missouri in the same occupation or profession, **and at the same practice level**, for which he or she holds the current license, along with proof of current licensure **and proof of licensure for at least one year** in the other jurisdiction, to the relevant oversight body in this state.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 3. The oversight body in this state shall, within six months of receiving an application
19 described in subsection 2 of this section, waive any examination, educational, or experience
20 requirements for licensure in this state for the applicant if it determines that ~~[the licensing~~
21 ~~requirements in the jurisdiction that issued the applicant's license are substantially similar to or~~
22 ~~more stringent than the licensing requirements in Missouri for the same occupation or~~
23 ~~profession]~~ **there were minimum education requirements and, if applicable, work**
24 **experience and clinical supervision requirements in effect and the other state verifies that**
25 **the person met those requirements in order to be licensed or certified in that state. An**
26 **oversight body that administers an examination on laws of this state as part of its licensing**
27 **application requirement may require an applicant to take and pass an examination specific**
28 **to the laws of this state.**

29 4. **(1)** The oversight body shall not waive any examination, educational, or experience
30 requirements for any applicant who **has had his or her license revoked by an oversight body**
31 **outside the state; who is currently under investigation, who has a complaint pending, or**
32 **who is currently under disciplinary action, except as provided in subdivision (2) of this**
33 **subsection, with an oversight body outside the state; who does not hold a license in good**
34 **standing with an oversight body outside the state; who has a criminal record that would**
35 **disqualify him or her for licensure in Missouri;** or who does not hold a valid current license
36 in the other jurisdiction on the date the oversight body receives his or her application under this
37 section.

38 **(2) If another jurisdiction has taken disciplinary action against an applicant, the**
39 **oversight body shall determine if the cause for the action was corrected and the matter**
40 **resolved. If the matter has not been resolved by that jurisdiction, the oversight body may**
41 **deny a license until the matter is resolved.**

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

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

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

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

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

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

58 10. **The provisions of this section shall not apply to an oversight body that has**
59 **entered into a licensing compact with another state for the regulation of practice under the**
60 **oversight body's jurisdiction.** The provisions of this section shall not be construed to alter the
61 authority granted by, or any requirements promulgated pursuant to, any interjurisdictional or
62 interstate compacts adopted by Missouri statute or any reciprocity agreements with other states
63 in effect on August 28, 2018, and whenever possible this section shall be interpreted so as to
64 imply no conflict between it and any compact, or any reciprocity agreements with other states
65 in effect on August 28, 2018.

66 11. **Notwithstanding any other provision of law, a license issued under this section**
67 **shall be valid only in this state and shall not make a licensee eligible to be part of an**
68 **interstate compact. An applicant who is licensed in another state pursuant to an interstate**
69 **compact shall not be eligible for licensure by an oversight body under the provisions of this**
70 **section.**

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