

FIRST REGULAR SESSION

HOUSE BILL NO. 584

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DERGES.

1334H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 324.009, RSMo, and to enact in lieu thereof one new section relating to licensure reciprocity, with an emergency clause.

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Section A. Section 324.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 324.009, to read as follows: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

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

(3) "Oversight body", any board, department, agency, or office of a jurisdiction that issues licenses;

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

2. Any 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

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 occupation or profession~~], and at the same practice level,~~] for which he or she holds the current
19 license, along with proof of current licensure and proof of licensure for at least one year in the
20 other jurisdiction, to the relevant oversight body in this state.

21 3. The oversight body in this state shall:

22 (1) Within six months of receiving an application described in subsection 2 of this
23 section, waive any examination, educational, or experience requirements for licensure in this
24 state for the applicant if it determines that there were minimum education requirements and, if
25 applicable, work experience and clinical supervision requirements in effect and the other state
26 verifies that the person met those requirements in order to be licensed or certified in that state.
27 An oversight body that administers an examination on laws of this state as part of its licensing
28 application requirement may require an applicant to take and pass an examination specific to the
29 laws of this state; or

30 (2) **Within sixty days of receiving an application described in subsection 2 of this**
31 **section for licensure in this state as a health care professional, as defined in section**
32 **376.1350, or as soon as immediately practicable after receiving such application from a**
33 **health care professional during an emergency, as defined in section 44.010, waive any**
34 **examination, educational, or experience requirements for licensure in this state for the**
35 **applicant and issue such applicant a license under this section if such applicant otherwise**
36 **meets the requirements of this section; or**

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

42 4. ~~[(1)]~~ The oversight body shall not waive any examination, educational, or experience
43 requirements for any applicant who has had his or her license revoked by an oversight body
44 outside the state; ~~[who is currently under investigation, who has a complaint pending, or who is~~
45 ~~currently under disciplinary action, except as provided in subdivision (2) of this subsection, with~~
46 ~~an oversight body outside the state;]~~ who does not hold a license in good standing with an
47 oversight body outside the state; who has a criminal record that would disqualify him or her for
48 licensure in Missouri; or who does not hold a valid current license in the other jurisdiction on
49 the date the oversight body receives his or her application under this section.

50 ~~[(2) If another jurisdiction has taken disciplinary action against an applicant, the~~
51 ~~oversight body shall determine if the cause for the action was corrected and the matter resolved.~~
52 ~~If the matter has not been resolved by that jurisdiction, the oversight body may deny a license~~
53 ~~until the matter is resolved.]~~

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

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

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

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

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

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

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

79 12. The provisions of this section shall not apply to any occupation set forth in
80 subsection 6 of section 290.257, or any electrical contractor licensed under sections 324.900 to
81 324.945.

 Section B. Because immediate action is necessary to expand licensure reciprocity in
2 order to ensure the residents of this state have access to health care professionals during the
3 ongoing COVID-19 pandemic, the repeal and reenactment of section 324.009 of section A of this
4 act is deemed necessary for the immediate preservation of the public health, welfare, peace, and
5 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and
6 the repeal and reenactment of section 324.009 of section A of this act shall be in full force and
7 effect upon its passage and approval.

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