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Tom Reichard
Executive Director

Tentative Meeting Notice

State Committee of Dietitians

**July 9, 2014
11:00 a.m.**

**Division of Professional Registration
3605 Missouri Blvd.
Jefferson City, MO**

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the State Committee of Dietitians, 3605 Missouri Blvd, Jefferson City, MO 65102 or by calling (573) 522-3438 to ensure available accommodations. The text telephone for the hearing impaired is (800) 735-2966.

Except to the extent disclosure is otherwise required by law, the State Committee of Dietitians is authorized to close meetings, records and votes, to the extent they relate to the following: Chapter 610.021 subsections (1), (3), (5), (7), (13), (14), and Chapter 324.001.8 and 324.001.9 RSMo.

The State Committee of Dietitians may go into closed session at any time during the meeting. If the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

TENTATIVE OPEN SESSION AGENDA
July 9, 2014
11:00 a.m.

State Committee of Dietitians
Division of Professional Registration
3605 Missouri Blvd.
Jefferson City, MO 65109

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes
 - July 22, 2013
- V. Executive Director Report
 - Board Totals
 - Other
- VI. Rules Discussion
 - Military Rules
 - Application Notarization
- VIII. CLOSED SESSION- Section 610.021 subsections (14), 324.001.8 and 324.001.9 RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant section 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes of action or litigation and any confidential or privileged communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings.
- XI. Adjournment

**Open Minutes
July 22, 2013**

**State Committee of Dietitians
3605 Missouri Boulevard
Jefferson City, MO 65109**

Members Present

Jean Howard, Chairperson
LeGreta Hudson
Terri Powell
Nolan McNeill, Public Member (via telephone)

Staff Present

Tom Reichard, Executive Director
Elizabeth Willard, Processing Technician
Sarah Ledgerwood, Legal Counsel

Guests Present

Lois Kramer-Owens
Jessica Myers, Missouri Academy of Nutrition and Dietetics

Call to Order – Jean Howard, Chairperson

The State Committee of Dietitians Open Session meeting was called to order by Jean Howard, Chairperson, at 11:02 a.m. on July 22, 2013 at the Division Professional Registration, Jefferson City, Missouri.

Approval of Agenda

A motion was made by Nolan McNeil and seconded by Terri Powell to approve the open session agenda. Ms. Hudson, Ms. Howard, Ms. Powell and Mr. McNeill voted in favor of the motion.

Approval of Minutes- June 11, 2012

A motion was made by Terri Powell and seconded by Nolan McNeill to approve the June 11, 2012 open session minutes. Ms. Hudson, Ms. Howard, Ms. Powell and Mr. McNeill voted in favor of the motion.

Executive Director Report

Board Totals

Mr. Reichard informed the committee that there are currently 1896 active dietitians, 15 inactive dietitians, and 15 pending dietitians. He stated that is around 200 more licensees than a year ago.

Other

Mr. Reichard told the committee that their fund balance has remained consistent and that the fee reduction has had its desired effect. He also stated he has not heard any news on more committee members being appointed.

Closed Meeting

A motion was made by Nolan McNeill and seconded by Terri Powell to move to closed session as per Section 610.021 Subsection (1) for the purpose of discussion of confidential or privileged communication between this agency and its attorney; Section 610.021 Subsection (14) and Section 324.001.8 for the purpose of discussing applicants for licensure. Closed under Sections 610.021 for the purpose of reviewing and approving the closed minutes of one or more previous meetings. Closed under Sections 610.021(14) and 324.001.8, RSMo, for the purpose of discussing investigative reports and/or complaints. Ms. Hudson, Ms. Howard, Ms. Powell and Mr. McNeill voted in favor of the motion.

Open Session

The committee reconvened in open session at 11:35 a.m.

Adjournment

A motion was made by Nolan McNeill and seconded by Terri Powell to adjourn the meeting. Ms. Hudson, Ms. Howard, Ms. Powell and Mr. McNeill voted in favor of the motion.

The meeting was adjourned at 11:36 a.m. on July 22, 2013.

Summary of Relevant Statutes Related to Military Service and Licenses

(Copies attached)

§41.030, RSMo, defines military service in Missouri

§41.946, RSMo, requires waiver of continuing education for National Guard and Reservists while on full time active duty

§41.950, RSMo, requires renewal, without penalty, within 60 days of completing active service and a stay on any administrative action against a license while on active duty and at least 180 days after release from active duty

§192.360, RSMo, requires a license to be kept in good standing while on active duty for any health-related board and waives the requirement for renewal, payment of fees and obtaining continuing education for certain circumstances

§324.007, RSMo, requires military training to be accepted for meeting requirements for licensure

§324.008, RSMo, requires issuance of temporary courtesy licenses to active duty military spouse

20 CSR 2XXX-X.XXX Military Training to Meet Requirements for Licensure

PURPOSE: This rule requires the Board to accept evidence of military education, training or service to be applied toward the requirements for licensure.

(1) Any applicant for licensure may, as part of the evidence of meeting the requisite educational and/or training requirements for licensure, submit evidence of military experience as a member of the military.

(2) The board shall review the evidence submitted and, if appropriate, make additional inquiry of the applicant to determine the scope and duties of the military experience to determine whether the military experience shall be counted towards the qualifications for licensure.

(3) In its review of the military experience, the board shall evaluate the content and nature of the military experience to determine whether that military experience shall count towards the education, training or service requirements for licensure. The Board shall construe liberally the military experience in determining whether it will count towards the education, training or service requirements for licensure.

(4) "Active duty" shall mean full time duty in the active military service of the United States or the State of Missouri as defined in Section 101(a)(5), Title 10 of the U.S. Code and Section 41.030, RSMo.

(5) "Military experience" shall mean education, training or service completed by an applicant while a member of the military.

(6) "Military" shall mean the United States armed forces or reserves, the national guard of any state, the military reserves of any state, or the naval militia of any state.

Authority: Section 324.007, and _____ (general grant of rulemaking authority statute), RSMo

20 CSR 2XXX-X.XXX Waiver of Requirement for Continuing Education for National Guard and Reservists

PURPOSE: To provide the process for a licensee called to active duty in the military to request waiver of continuing education requirements.

(1) Pursuant to the provisions of Section 41.946, RSMo, no continuing education requirements as set forth in the “ ____ practice act” shall be required if Licensee is a member of the National Guard or any reserve component of any branch of the Armed Forces of the United States and who is called to active duty, as follows

(A) Any continuing education requirement required during the time of active duty service shall be waived and Licensee shall not be required to make up any of that required training;

(B) If continuing education is required over a period of time and the Licensee is on active duty for any portion of that compliance period, then the continuing education requirement for that compliance period will be waived; and

(C) The Licensee notifies the Board, as set forth in this Rule, of his or her active duty service.

(2) Any licensee seeking waiver of the continuing education requirement under this provision shall file with the Board a Notice of Active Military Duty on a form provided by the Board or by other written communication accepted by the Board with a request for waiver of continuing education. This Notice of Active Military Duty shall be signed and dated by the Licensee, and include the name and number of Licensee’s license and the dates of the compliance period for which the Licensee requests a continuing education waiver and shall include a copy of Licensee’s orders to active duty or other evidence sufficient to document Licensee’s call to active duty and the time period of the active duty service, and any other information the Board may request relevant to compliance with the provisions of Missouri law.

(3) Upon the Board’s acceptance of the Notice of Active Military Duty, the Board shall deem all continuing education requirements fulfilled as set forth above.

Authority: Section 41.946 and _____, RSMo (general grant of rulemaking authority)

20 CSR 2XXX-X.XXX Exemption from License Renewal Requirement For Active Duty Military and Stay of Administrative Actions Against a Licensee Serving on Active Military Duty (Health Related Boards)

PURPOSE: To provide the process for a licensee on active duty military service to request waiver of renewal requirements and also to set forth requirements for stay of administrative actions against any license while the licensee serves active military duty.

(1) Any licensee who is a member of the United States Armed Forces or any military or militia of the State of Missouri, as defined in Section 41.030, RSMo, shall be exempted from the requirement to renew his or her license if

(A) The Licensee is on active duty, meaning full time duty in the active military service of the United States as defined in Section 101(a)(5), Title 10 of the U.S. Code or of the active military forces of Missouri;

(B) At the time of activation, the licensee was a member in good standing with any professional licensing body in Missouri and was licensed or certified to engage in his or her profession in this state; and

(C) The Licensee complies with the provisions of this rule to notify the Board of the active military duty.

(2) While a Licensee meeting the requirements of this rule is on active duty, as set forth above, each license of Licensee shall be renewed without payment of renewal fees or any other act required for renewal while the Licensee is on active military duty and up to two (2) years from the date the Licensee ceases active military duty, if the following criteria are met to notify the Board:

(A) The Licensee notifies the Board in writing on a form provided by the Board or by other written communication accepted by the Board as a Notice of Active Military Duty and requests license renewal. This written Notice of Active Military Duty shall be signed and dated by the Licensee and contain the name, address and license number of the Licensee, the date of activation, and shall be accompanied by a copy of the Licensee's active duty orders or other evidence sufficient for the Board to determine the dates of active service by Licensee. If the Licensee requests waiver of any continuing education requirement, this request may be made at the time the Notice of Active Duty is filed. The Notice of Active Military Duty may be filed with the Board at any time up to one hundred eighty (180) days from the date the Licensee ceases active military duty. If any of Licensee's licenses have lapsed for non-renewal during this period before the Notice of Active Military Duty has been filed, all licenses shall be reinstated upon the filing of the Notice of Active Military Duty with no additional requirements for reinstatement. All such reinstatements shall be retroactive to the last renewal date after the Licensee went on active duty and the license shall be deemed as having been active from that date until the license is reinstated. If

Licensee files the Notice of Active Military Duty prior to a license renewal date, the Board shall renew all licenses, without any further requirement, until either the Licensee notifies the Board that active military duty has ceased or a license has not been renewed for a period of 180 days from the date the active military duty ceased. The Licensee shall have the duty to notify the Board when his or her active military duty ceases within one hundred eighty (180) days from the date the active duty ceases. The Board shall deem Licensee's license current and active until the end of the one hundred eighty (180) days and after that time, the Licensee's license shall be due for renewal at the next license regular renewal date;

(B) The Licensee on active military duty shall not be required to pay any license renewal fees during the period of active military duty and up to one hundred eighty (180) days after the end of the active military duty. If a license lapses at any time during active military duty, that license shall be reinstated with no further requirements; other than the filing of the Notice of Active Military Service and

(C) Any continuing education requirement shall be waived while the Licensee is on active military duty if the following criteria are met:

1. The Licensee attests that circumstances associated with military duty prevented Licensee from obtaining the required continuing education and Licensee has provided the Board with a written request for waiver of continuing education; or

2. Licensee's military duties, while on active duty, included performing in his or her licensed occupation.

(3) If, at the time of activation, Licensee's license was subject to discipline, the disciplinary period shall be stayed during the time of Licensee's active duty military service and shall be reinstated at the time the license, registration or certification is reinstated. However, if the conditions of the discipline require the Licensee to take any action or meet any obligations, Licensee shall have at least one hundred eighty (180) days after the end of his or her active military duty to take those actions or fulfill those obligations.

(4) If during the time Licensee is on active military duty, the Board desires to pursue any disciplinary or administrative action against any license, registration or certification of the Licensee, the Board shall stay any such action until at least sixty (60) days after the end of the active military duty.

Authority: Sections 192.360 and _____, RSMo, (general grant of rulemaking authority)

20 CSR 2XXX-X.XXX Renewal of Licenses for Military Members

***PURPOSE:** This rule sets forth the procedure for renewal of a license held by a licensee on active military duty and for discipline of a license held by a licensee on active military duty.*

(1) Any licensee who holds a current license, certificate or registration and is a member of any United States or State of Missouri military, including any reserve members and any member of the United States Public Health Service, who is engaged in the active duty in the military service of the United States or the State of Missouri and who is engaged in the performance of active duty in the military service of the United States in a military conflict in which reserve components have been called to active duty for any period of more than thirty (30) days and who have had any license; registration or certification lapse while performing this military service, may renew/reinstate such license, registration or certification without penalty by:

(A) Filing with the Board a Notice of Active Military Duty on a form provided by the Board or by written communication accepted by the Board that shall be signed and dated by the Licensee and shall contain the Licensee's name, address, the type of license and license number of the Licensee, the date of active duty activation, and shall be accompanied by a copy of the Licensee's active duty orders or other evidence sufficient for the Board to determine the dates of active military duty by Licensee; and

(B) Such Notice of Active Military Duty shall be filed with the Board along with the request for license reinstatement no later than sixty (60) days of completion of the active duty military service.

(2) Upon filing the Notice of Active Military Duty, the Board shall reinstate Licensee's license with no further requirements, retroactive to the last renewal.

(3) If, at the time of activation, Licensee's license, registration or certification was subject to discipline, the disciplinary period shall be stayed during the time of Licensee's active duty military service and shall be reinstated at the time the license, registration or certification is reinstated. However, if the conditions of the discipline require the Licensee to take any action or meet any obligations, Licensee shall have at least one hundred eighty (180) days after the end of his or her active military duty to take those actions or fulfill those obligations.

(4) If during the time Licensee is on active military duty, the Board desires to pursue any disciplinary or administrative action against any license, registration or certification of the Licensee, the Board shall stay any such action until at least sixty (60) days after the end of the active military duty.

(5) Active military duty shall mean full time duty in the active military service of the United States or the State of Missouri as defined in Section 101(a)(5), Title 10 of the U.S. Code and Section 41.030, RSMo.

Authority: Sections 41.950 and _____, RSMo, (general grant of rulemaking authority)

20 CSR 2XXX-X.XXX Issuance of Temporary Courtesy License to Nonresident Military Spouse

PURPOSE: This rule states the requirements and procedures for a nonresident spouse of an active duty member of the military who is transferred to this state in the course of the member's military duty to obtain a temporary courtesy license to practice _____ for one hundred eighty (180) days.

(1) The *board/commission/committee/office* shall grant a temporary courtesy license to practice _____ without meeting further requirements for licensure ~~examination~~ to a the "nonresident military spouse" as defined in § 324.008.1, RSMo who provides the *board/commission/committee/office* the following:

(A) A completed application form;

(B) A non-refundable application fee, as established by the *board/commission/committee/office* pursuant to rule, made payable to the *board/commission/committee/office*;

(C) Verification sent directly to the *board/commission/committee/office* from the state, district or territory from where the applicant holds a current and active licensing verifying that the applicant holds a current and active license;

(D) Proof that the applicant has been engaged in active practice in the state, district or territory of the United States in which the applicant is currently licensed for at least (2) years in the five (5) years immediately preceding this application;

(E) Verification sent directly to *board/commission/committee/office* from each state, district or territory of the United States in which the applicant has ever been licensed verifying that:

1. The applicant is, or was at the time of licensure, in good standing;

2. The applicant has not committed an act in any jurisdiction where the applicant has or had a license that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice at the time the act was committed; and

3. The applicant has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure or disciplinary proceeding by a licensing or credentialing entity in another jurisdiction.

(F) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation (FBI) fingerprint background check. Any fees due for fingerprint background checks shall be paid

by the applicant directly to the fingerprint vendor or as set out in the *board/commission/committee/office's* regulations;

(G) If the *board/commission/committee/office* is unable to determine if the licensing requirements of the state, district or territory in which the applicant is currently licensed are equivalent to Missouri's licensing requirements, the applicant shall submit documentation regarding the licensing requirements equivalency;

(H) Proof of satisfactory completion of the *board/commission/committee/office's* written jurisprudence examination regarding the laws of the State of Missouri related to the applicant's practice;

(I) Such additional information as the *board/commission/committee/office* may request to determine eligibility for a temporary courtesy license.

(2) Any temporary courtesy license issued pursuant to this rule shall be valid for one hundred eighty (180) days from the date of issuance and may be extended for another one hundred eighty (180) days upon submission of a written request by the holder of the temporary courtesy license.

(3) If a nonresident military spouse seeks full licensure in this state during the time while the temporary courtesy license is valid, he or she may request full licensure by filing a written request with the Board. Any fees paid for a temporary courtesy license shall be credited towards the application fees due for full licensure.

Authority: Sections 324.008 and _____, RSMo. (general grant of rulemaking authority)

NOTICE OF ACTIVE MILITARY DUTY

I hereby provide notice of Active Military Duty as that term is defined in Section 101(1)95), Title 10 of the United States Code and Section 41.030, RSMo, and provide the following information:

1. I currently hold the following license(s):

Name of License

License Number

2. My active military duty date of activation:
3. Due to my active military duty, I request waiver of any and all continuing education requirements as allowed by Missouri statutes and regulations.
4. I certify that I have either attached a true and accurate copy of my active duty orders that I have provided an electronic copy of my active duty orders to my licensing Board(s) and attach confirmation of that electronic transmission.
5. I understand that I have the duty to provide written notice to my licensing Board(s) when my active duty service has ceased and that I will provide that written notice with 180 days from the date my active duty ceases.
6. I certify that my address and contact information listed below is accurate and that I understand that I have the ongoing obligation to provide the Board(s) with current address and contact information if this information changes from what is listed below.

Dated: _____

Signed: _____

Name:

Address:

E-mail:

Statutes Related to Military Licensees

41.030. 1. The word "militia" as used in this code means all the active and potential military forces of the state, whether organized or unorganized.

2. Whenever reference is made in the articles of Uniform Code of Military Justice to the "military service" or to the "Armed Forces" of the United States the reference is deemed to include the military service and militia of this state.

3. "Primary next of kin" are, in order of precedence, surviving spouse, eldest child, father or mother, eldest brother or sister, or eldest grandchild.

(L. 1951 p. 654 §§ 3, 4, A.L. 1961 p. 479, A.L. 2010 H.B. 1524 & 2260)

Licensure or certification by state, continuing education--exemption from requirements for active military service.

41.946. Notwithstanding any other provision of law, any person licensed or certified to practice a trade or profession by the state of Missouri or any branch or agency thereof which requires an annual period of continuing education or training as a condition of continued or renewed licensing or certification, and who is or becomes a member of the National Guard or of any reserve component of the Armed Forces of the United States who is called to full-time active duty in the service of the United States under competent orders shall, during the period of full-time active duty, be exempted from any such requirement for continuing education or training without his status, license, certification or right to practice his trade or profession being affected and shall not be required, upon returning from full-time active duty, to make up or retake any training or education for which he was exempt under the provisions of this section.

(L. 1991 S.B. 358 § 3)

Members of military forces called to active duty--relieved from certain provisions of law.

41.950. 1. Any resident of this state who is a member of the National Guard or of any reserve component of the Armed Forces of the United States or who is a member of the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard or an officer of the United States Public Health Service detailed by proper authority for duty with any branch of the United States Armed Forces described in this section and who is engaged in the performance of active duty in the military service of the United States in a military conflict in which reserve components have been called to active duty under the authority of 10 U.S.C. 672(d) or 10 U.S.C. 673b or any such subsequent call or order by the President or Congress for any period of thirty days or more shall be relieved from certain provisions of state law, as follows:

(1) No person performing such military service who owns a motor vehicle shall be required to maintain financial responsibility on such motor vehicle as required under section 303.025 until such time as that person completes such military service, unless any person shall be operating such motor vehicle while the vehicle owner is performing such military service;

(2) No person failing to renew his or her driver's license while performing such military service shall be required to take a complete examination as required under section 302.173 when renewing his or her license within ninety days after completing such military service and reestablishing residence within the state;

(3) Any motor vehicle registration required under chapter 301 that expires for any person performing such military service may be renewed by such person within sixty days of completing such military service without being required to pay a delinquent registration fee; however, such motor vehicle shall not be operated while the person is performing such military service unless the motor vehicle registration is renewed;

(4) Any person enrolled by the supreme court of Missouri or licensed, registered or certified under chapter 168, 256, 317, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 375, 640 or 644, and interpreters licensed under sections 209.319 to 209.339, whose license, registration or certification expires while performing such military service, may renew such license, registration or certification within sixty days of completing such military service without penalty;

(5) In the case of corporate registration reports, franchise tax reports or other reports required to be filed with the office of secretary of state, where the filing of such report would be delayed because of a person performing such military service, such reports shall be filed without penalty within one hundred twenty days of the completion of such military service;

(6) No person performing such military service who is subject to a criminal summons for a traffic violation shall be subject to nonappearance sanctions for such violation until after one hundred eighty days after the completion of such military service;

(7) No person performing such military service who is required under state law to file financial disclosure reports shall be required to file such reports while performing such military service; however, such reports covering that period of time that such military service is performed shall be filed within one hundred eighty days after the completion of such military service;

(8) Any person with an indebtedness, liability or obligation for state income tax or property tax on personal or real property who is performing such military service or a spouse of such person filing a combined return or owning property jointly shall be granted an extension to file any papers or to pay any obligation until one hundred eighty days after the completion of such military service or continuous hospitalization as a result of such military service notwithstanding the provisions of section 143.991 to the contrary and shall be allowed to pay such tax without penalty or interest if paid within the one hundred eighty-day period;

(9) Notwithstanding other provisions of the law to the contrary, for the purposes of this section, interest shall be allowed and paid on any overpayment of tax imposed by sections 143.011 to 143.998 at the rate of six percent per annum from the original due date of the return or the date the tax was paid, whichever is later;

(10) No state agency, board, commission or administrative tribunal shall take any administrative action against any person performing such military service for that person's failure to take any required action or meet any required obligation not already provided for in subdivisions (1) to (8) of this subsection until one hundred eighty days after the completion of such military service, except that any agency, board, commission or administrative tribunal affected by this subdivision may, in its discretion, extend the time required to take such action or meet such obligation beyond the one hundred eighty-day period;

(11) Any disciplinary or administrative action or proceeding before any state agency, board, commission or administrative tribunal where the person performing such military service is a necessary party, which occurs during such period of military service, shall be stayed by the administrative entity before which it is pending until sixty days after the end of such military service.

2. Upon completing such military service, the person shall provide the appropriate agency, board, commission or administrative tribunal an official order from the appropriate military authority as evidence of such military service.

3. The provisions of this section shall apply to any individual described in subsection 1 of this section who performs such military service on or after August 2, 1990.

(L. 1991 S.B. 358 § 5, A.L. 2007 H.B. 780 merged with S.B. 272, A.L. 2009 H.B. 481, A.L. 2011 H.B. 204)

Active duty military, license to remain in good standing for duration of duty--licensing board procedure required--renewal of license.

192.360. 1. Notwithstanding any other provision of law to the contrary, the department of health and senior services and the department of insurance, financial institutions and professional registration shall require every health-related professional licensing board to establish a procedure to ensure any member of the United States Armed Forces on active duty who, at the time of activation, was a member in good standing with any professional licensing body in this state and was licensed or certified to engage in his or her profession or vocation in this state shall be kept in good standing by the professional licensing body with which he or she is licensed or certified.

2. While a licensee or certificate holder is an active duty member of the United States Armed Forces, the license or certificate referenced in subsection 1 of this section shall be renewed without:

(1) The payment of dues or fees;

(2) Obtaining continuing education credits when:

(a) Circumstances associated with military duty prevent obtaining such training and a waiver request has been submitted to the appropriate licensing body; or

(b) The military member, while on active duty, performs the licensed or certified occupation as part of his or her military duties as annotated in Defense Department Form 214 (DD 214); or

(c) Performing any other act typically required for the renewal of the license or certificate.

3. The license or certificate issued under this section shall be continued as long as the licensee or certificate holder is a member of the United States Armed Forces on active duty and for a period of at least six months after being released from active duty.

(L. 2013 S.B. 106)

Military education, training, and service to be accepted toward qualifications for licensure-rulemaking authority.

324.007. 1. By no later than January 1, 2014, every professional licensing board or commission in this state shall, upon presentation of satisfactory evidence by an applicant for certification or licensure, accept education, training, or service completed by an individual who is a member of the United States Armed Forces or Reserves, the National Guard of any state, the military reserves of any state, or the naval militia of any state toward the qualifications to receive the license or certification.

2. Every examination and professional licensing board in this state shall adopt necessary procedures to implement the provisions of this section.

3. The division of professional registration within the department of insurance, financial institutions and professional registration shall promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

(L. 2013 S.B. 106)

Nonresident military spouse, temporary courtesy license to be issued upon transfer of active duty military spouse, when--rulemaking authority.

324.008. 1. As used in this section, "nonresident military spouse" means 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, is domiciled in the state of Missouri, or has moved to the state of Missouri on a permanent change-of-station basis.

2. Except as provided in subsection 6 of this section and notwithstanding any other provision of law, any agency of this state or board established under state law for the regulation of occupations and professions in this state shall, with respect to such occupation or profession that it regulates, by rule establish criteria for the issuance of a temporary courtesy license to a nonresident spouse of an active duty member of the military who is transferred to this state in the course of the member's military duty, so that, on a temporary basis, the nonresident military spouse may lawfully practice his or her occupation or profession in this state.

3. Notwithstanding provisions to the contrary, a nonresident military spouse shall receive a temporary courtesy license under subsection 2 of this section if, at the time of application, the nonresident military spouse:

(1) Holds a current license or certificate in another state, district, or territory of the United States with licensure requirements that the appropriate regulatory board or agency determines are equivalent to those established under Missouri law for that occupation or profession;

(2) Was engaged in the active practice of the occupation or profession for which the nonresident military spouse seeks a temporary license or certificate in a state, district, or territory of the United States for at least two of the five years immediately preceding the date of application under this section;

(3) Has not committed an act in any jurisdiction that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice that occupation or profession under Missouri law at the time the act was committed;

(4) Has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing or credentialing entity in another jurisdiction;

(5) Authorizes the appropriate board or agency to conduct a criminal background check and pay for any costs associated with such background check;

(6) Pays any fees required by the appropriate board or agency for that occupation or profession; and

(7) Complies with other requirements as provided by the board.

4. Relevant full-time experience in the discharge of official duties in the military service or an agency of the federal government shall be credited in the counting of years of practice under subdivision (2) of subsection 3 of this section.

5. A temporary courtesy license or certificate issued under this section is valid for one hundred eighty days and may be extended at the discretion of the applicable regulatory board or agency for another one hundred eighty days on application of the holder of the temporary courtesy license or certificate.

6. This section shall not apply to the practice of law or the regulation of attorneys.

7. The appropriate board or agency shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

(L. 2011 H.B. 136)