

Jeremiah W. (Jay) Nixon  
Governor  
State of Missouri

Jane A. Rackers, Division Director  
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance  
Financial Institutions  
and Professional Registration  
John M. Huff, Acting Director

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STATE COMMITTEE FOR SOCIAL WORKERS  
3605 Missouri Boulevard  
P.O. Box 1335  
Jefferson City, MO 65102-1335  
573-751-0885  
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800-735-2966 TTY Relay Missouri  
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[lcsw@pr.mo.gov](mailto:lcsw@pr.mo.gov)  
<http://pr.mo.gov>

Tom Reichard  
Executive Director

## **Meeting Notice**

**June 20, 2014**

**8:30 a.m.**

### **State Committee for Social Workers**

**Holiday Inn Columbia East**

**915 Port Way**

**Columbia, MO 65201**

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the State Committee for Social Workers, 3605 Missouri Blvd, Jefferson City, MO 65102 or by calling (573) 751-0885 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 for Social Workers 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 for Social Workers 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 Agenda  
OPEN SESSION  
Strategic Planning Meeting  
June 20, 2014  
8:30 a.m.**

**State Committee for Social Workers  
Holiday Inn Columbia East  
915 Port Way  
Columbia, MO 65201**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Officer Elections
- V. Executive Director Report
  - Board Totals
  - Letter to Old Registrants
- VI. ASWB Pass Rates
- VII. Updated Annual Supervision Progress Report Forms
- VIII. Use of Alias (Licensee Email)
- IX. Workplace Supervision (Licensee Email)
- X. Continuing Education Courses
  - Consultation and Practice
  - Evaluations v. Post Tests
- XI. Rules Discussion
  - Senate Bill 808
  - Reciprocity with Border States
  - Military Rules
  - Application Notarization
  - Reinstatement Requirements
  - E-Therapy
  - Other
- XII. Future Meeting Dates
- XIII. Adjournment

# 2011-2013 ASWB Exam Pass Rates for Missouri Schools

	Bachelors									Masters									Clinical																				
	2011			2012			2013			2011			2012			2013			2011			2012			2013														
	P	F	%	P	F	%	P	F	%	P	F	%	P	F	%	P	F	%	P	F	%	P	F	%	P	F	%	P	F	%									
Avila University	0	0	0%	0	1	0%	0	1	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
University of Central Missouri	4	1	80%	2	1	67%	7	1	88%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
Columbia College	1	0	100%	2	0	100%	0	0	0%	0	0	0%	1	1	100%	2	0	100%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Evangel University	0	0	0%	2	0	100%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Fontbonne University	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
Lincoln University	No Data									No Data									No Data																				
Lindenwood University	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
MO State University	2	0	100%	1	0	100%	1	0	100%	29	1	97%	23	1	96%	16	1	94%	10	1	91%	12	2	86%	12	2	86%	12	2	86%	12	2	86%	12	2	86%			
MO Western State University	0	0	0%	2	0	100%	3	1	75%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
Park University	2	1	67%	3	0	100%	1	0	100%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
St. Louis University	1	0	100%	1	0	100%	1	1	50%	49	3	94%	49	3	94%	46	7	87%	26	11	70%	14	7	67%	22	7	76%	22	7	76%	22	7	76%						
Southeast MO State University	2	0	100%	0	1	0%	3	0	100%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
Southwest Baptist University	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%			
University of MO- Columbia	0	0	0%	2	0	100%	0	0	0%	37	2	95%	65	3	96%	61	4	94%	25	5	83%	18	4	82%	21	8	72%	21	8	72%	21	8	72%						
University of MO- Kansas City	0	0	0%	0	0	0%	0	0	0%	43	11	80%	69	15	82%	38	12	76%	14	7	67%	9	7	56%	8	2	80%	8	2	80%	8	2	80%						
University of MO- St. Louis	0	0	0%	1	1	50%	0	0	0%	15	3	83%	26	1	96%	28	1	97%	11	3	79%	5	3	62%	9	3	75%	9	3	75%	9	3	75%						
Washington University	0	0	0%	1	0	100%	0	0	0%	96	6	94%	101	9	92%	78	7	92%	46	9	84%	44	8	85%	60	3	95%	60	3	95%	60	3	95%						
William Woods University	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	0	0	0%	1	0	100%			

National Pass Rates		
	2011	2012
Bachelors	78%	77%
Masters	83%	84%
Clinical	78%	77%



**STATE OF MISSOURI**  
**DIVISION OF PROFESSIONAL REGISTRATION**  
**ANNUAL SUPERVISION PROGRESS REPORT**  
**CLINICAL SOCIAL WORKER**

MISSOURI DIVISION OF PROFESSIONAL REGISTRATION  
 STATE COMMITTEE FOR SOCIAL WORKERS

**INSTRUCTIONS**

**SUPERVISOR:** Complete all items below and return the original (not a photocopy) of this annual supervision progress report as soon as possible to the Missouri Division of Professional Registration, State Committee for Social Workers. **DO NOT RETURN THIS FORM TO THE SUPERVISEE.** It is important that you complete all sections below.

Return completed form to:

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**PLEASE CHECK ONE OF THE FOLLOWING**

- TWELFTH (12) MONTH (MO-DAY-YEAR TO MO-DAY-YEAR)
- TWENTY-FORTH (24) MONTH (MO-DAY-YEAR TO MO-DAY-YEAR)
- THIRTY-SIXTH (36) MONTH (MO-DAY-YEAR TO MO-DAY-YEAR)

**20 CSR 2263-2.032(12)** "The supervisor shall provide annual reports of progress to the committee. These will be due on the anniversary date of the initial approval for the twelfth, twenty-fourth, and thirty-sixth months of supervision. The annual report will provide an overview of the licensee's practice knowledge of the licensure statutes and rules, licensure scope of practice, understanding and adherence to approved standards of professional and ethical conduct, areas of continued growth and development, and accountability of supervision hours thus far in the process."

**SUPERVISEE DATA**

- 1. NAME (LAST, FIRST, MIDDLE INITIAL, SUFFIX, MAIDEN NAME)
- 2. ADDRESS (STREET AND BOX NO., IF APPLICABLE, CITY, STATE, ZIP)

**SUPERVISOR DATA**

- 3. SUPERVISOR NAME (LAST, FIRST, MIDDLE, MAIDEN)
- 4. TELEPHONE NUMBER (DAYTIME)
- 5. CURRENT OFFICE ADDRESS (STREET AND BOX NO., IF APPLICABLE, CITY, STATE, ZIP CODE)

**6. PLEASE CHECK ALL THAT APPLY TO SUPERVISOR AT THE TIME OF SUPERVISION:**

- Missouri - License Number \_\_\_\_\_ ;
  - Licensed social worker in another state, supervising in that state, with an equivalent license - State \_\_\_\_\_
- License number \_\_\_\_\_ ; Original Issue Date \_\_\_\_\_ ; attach a copy of license.

**7. LIST PLACES WHERE THE SUPERVISEE ENGAGES IN PROFESSIONAL EXPERIENCE UNDER YOUR SUPERVISION**

AGENCY/FACILITIES	ADDRESS (STREET, CITY, STATE, ZIP)	DATE <small>(MO-DAY-YEAR TO MO-DAY-YEAR)</small>
A.		
B.		
C.		

- 8. NUMBER OF HOURS PER WEEK OF INDIVIDUAL FACE-TO-FACE, ONE-ON-ONE SUPERVISION. ▶
- 9. THE TOTAL NUMBER OF HOURS PER WEEK THE SUPERVISEE PERFORMS SOCIAL WORK DUTIES WHILE UNDER YOUR SUPERVISION. (THIS SHOULD INCLUDE THE APPLICANT'S TOTAL NUMBER OF HOURS WORKED, IN ADDITION TO THE FACE-TO-FACE, ONE-ON-ONE SUPERVISORY HOURS) ▶

10. EACH AREA OF PERFORMANCE MUST BE RATED BY CHECKING THE NUMBER THAT MOST ACCURATELY DESCRIBES THE SUPERVISEE.

**RATING SCALE**

1. Not Observed    2. Does Not Meet Expectations    3. Meets Expectations    4. Exceeds Expectations    5. Far Exceeds Expectations

**SOCIAL WORK PRACTICE**

Please rate and provide additional comments to support/explain ratings about the supervisee's knowledge, understanding and progress in the following areas:

A. Social work statutes and rules (including regulations regarding professional practice)     1     2     3     4     5

B. Licensure scope of practice

1. Theoretical framework (social work theory, knowledge, values, methods, and principles)     1     2     3     4     5

2. Therapeutic delivery skills (use of evidence-based practice, current research-informed practice, psychotherapy)     1     2     3     4     5

3. Assessment skills (use of conceptual frameworks (PIE, bio/psycho/social) to guide the processes of assessment, intervention, and evaluation; collect data for client functioning)     1     2     3     4     5

4. Diagnostic skills (identification of current DSM and ICD criteria to develop intervention goals)     1     2     3     4     5

5. Program Administration/Community Organization (planning and consultation)     1     2     3     4     5

6. Policy/Research (knowledge of current advocacy, policy, analysis and research for clients, agency, community and broader government bodies)     1     2     3     4     5

C. Professional and ethical conduct (knowledge, commitment, and adherence to professional code of ethics)     1     2     3     4     5

Please briefly describe the plan for continued growth and development (goals)

Please briefly describe the plan for continued progress over the next reporting period (objectives)

Do you believe the supervisee is on track to complete the licensure process with a recommendation for full licensure?

Yes     No (If no, please attach explanation)

**11. TESTIMONY OF SUPERVISOR**

I hereby affirm under penalties of perjury that the foregoing information which I have supplied is true and accurate to the best of my knowledge, information and belief.

SIGNATURE

DATE

**12. TESTIMONY OF SUPERVISEE**

I hereby affirm that I have reviewed the information contained in this supervision progress report.

SIGNATURE

DATE



STATE OF MISSOURI  
 DIVISION OF PROFESSIONAL REGISTRATION  
**ANNUAL SUPERVISION PROGRESS REPORT**  
**ADVANCED MACRO SOCIAL WORKER**

MISSOURI DIVISION OF PROFESSIONAL REGISTRATION  
 STATE COMMITTEE FOR SOCIAL WORKERS

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**STATE OF MISSOURI**  
**DIVISION OF PROFESSIONAL REGISTRATION**  
**ANNUAL SUPERVISION PROGRESS REPORT**  
**BACCALAUREATE SOCIAL WORKER-INDEPENDENT PRACTICE**

MISSOURI DIVISION OF PROFESSIONAL REGISTRATION  
 STATE COMMITTEE FOR SOCIAL WORKERS

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**SOCIAL WORK PRACTICE**

Please rate and provide additional comments to support/explain ratings about the supervisee's knowledge, understanding and progress in the following areas:

A. Social work statutes and rules (including regulations regarding professional practice)       1     2     3     4     5

**B. Licensure scope of practice**

1. Generalist Practice (BSW social workers use multiple intervention methods, including the problem solving approach to work with various size client systems in a variety of settings and at all levels (micro, mezzo, and macro) to maximize social functioning and increase well-being)       1     2     3     4     5

2. Service delivery skills (education, advocacy, crisis intervention, case management, referral, client support/problem solving)       1     2     3     4     5

3. Assessment skills (use of conceptual frameworks (PIE, bio/psycho/social) to guide the processes of assessment, intervention, and evaluation)       1     2     3     4     5

4. Documentation (recording of the process and progress associated with clients)       1     2     3     4     5

C. Professional and ethical conduct (knowledge, commitment, and adherence to professional code of ethics)       1     2     3     4     5

Please briefly describe the plan for continued growth and development (goals)

Please briefly describe the plan for continued progress over the next reporting period (objectives)

Do you believe the supervisee is on track to complete the licensure process with a recommendation for full licensure?

Yes     No (If no, please attach explanation)

**11. TESTIMONY OF SUPERVISOR**

I hereby affirm under penalties of perjury that the foregoing information which I have supplied is true and accurate to the best of my knowledge, information and belief.

SIGNATURE



DATE

**12. TESTIMONY OF SUPERVISEE**

I hereby affirm that I have reviewed the information contained in this supervision progress report.

SIGNATURE



DATE

**Willard, Elizabeth**

---

**From:** [REDACTED]  
**Sent:** [REDACTED]  
**To:** State Committee for Social Workers  
**Subject:** Use of Alias

Hello,

I am I crisis worker at a suicide prevention and crisis intervention hotline. At the hotline, we use an alias instead of giving our real name to protect anonymity and for our safety. However, a question was raised among the staff of whether we are permitted to use our alias when making a report to the Child Abuse and Neglect Hotline. I understand that licensed social workers are not permitted to make an anonymous report, but we are not sure if that applies to the use of a professional alias. Staff members at the hotline have used their legal name when making reports in the past but we wanted to ensure consistency while also abiding our professional obligation. Any input regarding this matter would be greatly appreciated.

Thank you,

[REDACTED]

**Willard, Elizabeth**

---

**From:** [REDACTED]  
**Sent:** Wednesday, May 07, 2014 11:26 AM  
**To:** State Committee for Social Workers  
**Subject:** FW: Supervision question

I understand that clinical supervision is not the same as general work supervision, but I am unaware of statute or CSR prohibiting ones work supervisor from also being their clinical supervisor. Is the below statement accurate, and if so can you direct me where to find this in the rules/statutes?

---

**From:** [REDACTED]  
**Sent:** Wednesday, May 07, 2014 11:08 AM  
**To:** [REDACTED]  
**Subject:** Supervision

[REDACTED]

[REDACTED] took the supervisory training this weekend. He was told by the convener --I think she was head of NASW in MO-- that one's Employment supervisor cannot be one's clinical licensure supervisor. She cited statutes. This was a shock to many of the social workers in supervision training.

[REDACTED] was going to supervisor another LMSW at JFS as well.

Does this make sense to you from your readings of the behavioral board statutes?

Thanks,

[REDACTED]

[REDACTED]



Jeremiah W. (Jay) Nixon  
Governor  
State of Missouri

DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance  
Financial Institutions  
and Professional Registration  
John M. Huff, Director

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Jane A. Rackers  
Division Director

<http://www.pr.mo.gov>

## MEMORANDUM

To: Jane Rackers, Division Director  
PR Managers

CC: Andy Briscoe, Director of Budget & Legislation  
Sarah Ledgerwood, Legal Counsel  
Debby Bullock, Research Analyst II

From: Sharon Euler, Legal Counsel

Date: December 13, 2013

Subject: Templates for draft rules related to Military Service and Licensing

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Attached is a packet of information related to statutes involving active military service and professional licensing. This packet contains a summary of Missouri statutes involving professional licensing and military service, templates of draft rules for your Boards to look at and customize to meet each Board's needs, copies of the relevant statutes and a draft template of a Notice of Active Military Duty. We anticipate that the Notice of Active Military Duty will be used as standardized form by all Boards so that if a licensee is a licensee of more than one profession, only one form will need to be submitted and can be shared among each relevant board.

Please note, these are only draft rules and need to be reviewed, edited and approved by your Board and submitted, via the normal rulemaking process, by each Board – that includes each Board being responsible for submitting the usual proposed rulemaking packet.

We don't anticipate these being discussed at a PR Manager's meeting because each profession will have different needs for these rules. As always, Division counsel and staff will be happy to assist each profession in working with these rules to be ready to submit through the rulemaking process.

## **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)

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 808

97TH GENERAL ASSEMBLY

2014

5659H.07T

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## AN ACT

To repeal sections 324.024, 334.735, 337.615, 337.643, 337.645, 338.010, 338.020, 338.059, 338.220, 346.010, and 346.055, RSMo, and to enact in lieu thereof thirteen new sections relating to the licensing of certain professions, with an existing penalty provision.

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

Section A. Sections 324.024, 334.735, 337.615, 337.643, 337.645, 338.010, 2 338.020, 338.059, 338.220, 346.010, and 346.055, RSMo, are repealed and thirteen 3 new sections enacted in lieu thereof, to be known as sections 316.265, 324.024, 4 334.735, 337.615, 337.643, 337.645, 338.010, 338.020, 338.059, 338.165, 338.220, 5 346.010, and 346.055, to read as follows:

316.265. No employee or employer primarily engaged in the 2 practice of **combing, braiding, or curling hair without the use of** 3 **potentially harmful chemicals shall be subject to the provisions of** 4 **chapter 329 while working in conjunction with any licensee for any** 5 **public amusement or entertainment venue as defined in this chapter.**

324.024. 1. Notwithstanding any provision of law to the contrary, every 2 application for a license, certificate, registration, or permit[, or renewal of a 3 license, certificate, registration, or permit] issued in this state shall contain the 4 Social Security number of the applicant. This provision shall not apply to an 5 original application for a license, certificate, registration, or permit submitted by 6 a citizen of a foreign country who has never been issued a Social Security number 7 and who previously has not been licensed by any other state, United States 8 territory, or federal agency. A citizen of a foreign country applying for licensure 9 with the division of professional registration shall be required to submit his or

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

10 her visa or passport identification number in lieu of the Social Security number.

11       **2. Notwithstanding any provision of law to the contrary, every**  
12 **application for a renewal of a license, certificate, registration, or**  
13 **permit which did not originally contain the Social Security number of**  
14 **the applicant shall contain the Social Security number of the applicant**  
15 **at the first renewal of the license, certificate, registration, or permit.**

16       **3. Following initial application for licensure, certificate,**  
17 **registration, or permit as described in subsection 1 of this section or**  
18 **first renewal application for licensure, certificate, registration, or**  
19 **permit as described in subsection 2 of this section, all subsequent**  
20 **applications shall not contain the Social Security number of the**  
21 **licensee, certificate holder, registrant, or permit holder. All Social**  
22 **Security numbers collected for registered professionals may be**  
23 **maintained on file by the agency in compliance with federal law.**

      334.735. 1. As used in sections 334.735 to 334.749, the following terms  
2 mean:

3       (1) "Applicant", any individual who seeks to become licensed as a  
4 physician assistant;

5       (2) "Certification" or "registration", a process by a certifying entity that  
6 grants recognition to applicants meeting predetermined qualifications specified  
7 by such certifying entity;

8       (3) "Certifying entity", the nongovernmental agency or association which  
9 certifies or registers individuals who have completed academic and training  
10 requirements;

11       (4) "Department", the department of insurance, financial institutions and  
12 professional registration or a designated agency thereof;

13       (5) "License", a document issued to an applicant by the board  
14 acknowledging that the applicant is entitled to practice as a physician assistant;

15       (6) "Physician assistant", a person who has graduated from a physician  
16 assistant program accredited by the American Medical Association's Committee  
17 on Allied Health Education and Accreditation or by its successor agency, who has  
18 passed the certifying examination administered by the National Commission on  
19 Certification of Physician Assistants and has active certification by the National  
20 Commission on Certification of Physician Assistants who provides health care  
21 services delegated by a licensed physician. A person who has been employed as  
22 a physician assistant for three years prior to August 28, 1989, who has passed the  
23 National Commission on Certification of Physician Assistants examination, and

24 has active certification of the National Commission on Certification of Physician  
25 Assistants;

26 (7) "Recognition", the formal process of becoming a certifying entity as  
27 required by the provisions of sections 334.735 to 334.749;

28 (8) "Supervision", control exercised over a physician assistant working  
29 with a supervising physician and oversight of the activities of and accepting  
30 responsibility for the physician assistant's delivery of care. The physician  
31 assistant shall only practice at a location where the physician routinely provides  
32 patient care, except existing patients of the supervising physician in the patient's  
33 home and correctional facilities. The supervising physician must be immediately  
34 available in person or via telecommunication during the time the physician  
35 assistant is providing patient care. Prior to commencing practice, the supervising  
36 physician and physician assistant shall attest on a form provided by the board  
37 that the physician shall provide supervision appropriate to the physician  
38 assistant's training and that the physician assistant shall not practice beyond the  
39 physician assistant's training and experience. Appropriate supervision shall  
40 require the supervising physician to be working within the same facility as the  
41 physician assistant for at least four hours within one calendar day for every  
42 fourteen days on which the physician assistant provides patient care as described  
43 in subsection 3 of this section. Only days in which the physician assistant  
44 provides patient care as described in subsection 3 of this section shall be counted  
45 toward the fourteen-day period. The requirement of appropriate supervision shall  
46 be applied so that no more than thirteen calendar days in which a physician  
47 assistant provides patient care shall pass between the physician's four hours  
48 working within the same facility. The board shall promulgate rules pursuant to  
49 chapter 536 for documentation of joint review of the physician assistant activity  
50 by the supervising physician and the physician assistant.

51 2. (1) A supervision agreement shall limit the physician assistant to  
52 practice only at locations described in subdivision (8) of subsection 1 of this  
53 section, where the supervising physician is no further than fifty miles by road  
54 using the most direct route available and where the location is not so situated as  
55 to create an impediment to effective intervention and supervision of patient care  
56 or adequate review of services.

57 (2) For a physician-physician assistant team working in a rural health  
58 clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as  
59 amended, no supervision requirements in addition to the minimum federal law  
60 shall be required.

61           3. The scope of practice of a physician assistant shall consist only of the  
62 following services and procedures:

63           (1) Taking patient histories;

64           (2) Performing physical examinations of a patient;

65           (3) Performing or assisting in the performance of routine office laboratory  
66 and patient screening procedures;

67           (4) Performing routine therapeutic procedures;

68           (5) Recording diagnostic impressions and evaluating situations calling for  
69 attention of a physician to institute treatment procedures;

70           (6) Instructing and counseling patients regarding mental and physical  
71 health using procedures reviewed and approved by a licensed physician;

72           (7) Assisting the supervising physician in institutional settings, including  
73 reviewing of treatment plans, ordering of tests and diagnostic laboratory and  
74 radiological services, and ordering of therapies, using procedures reviewed and  
75 approved by a licensed physician;

76           (8) Assisting in surgery;

77           (9) Performing such other tasks not prohibited by law under the  
78 supervision of a licensed physician as the physician's assistant has been trained  
79 and is proficient to perform; and

80           (10) Physician assistants shall not perform or prescribe abortions.

81           4. Physician assistants shall not prescribe nor dispense any drug,  
82 medicine, device or therapy unless pursuant to a physician supervision agreement  
83 in accordance with the law, nor prescribe lenses, prisms or contact lenses for the  
84 aid, relief or correction of vision or the measurement of visual power or visual  
85 efficiency of the human eye, nor administer or monitor general or regional block  
86 anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing  
87 and dispensing of drugs, medications, devices or therapies by a physician  
88 assistant shall be pursuant to a physician assistant supervision agreement which  
89 is specific to the clinical conditions treated by the supervising physician and the  
90 physician assistant shall be subject to the following:

91           (1) A physician assistant shall only prescribe controlled substances in  
92 accordance with section 334.747;

93           (2) The types of drugs, medications, devices or therapies prescribed or  
94 dispensed by a physician assistant shall be consistent with the scopes of practice  
95 of the physician assistant and the supervising physician;

96           (3) All prescriptions shall conform with state and federal laws and  
97 regulations and shall include the name, address and telephone number of the

98 physician assistant and the supervising physician;

99 (4) A physician assistant, or advanced practice registered nurse as defined  
100 in section 335.016 may request, receive and sign for noncontrolled professional  
101 samples and may distribute professional samples to patients;

102 (5) A physician assistant shall not prescribe any drugs, medicines, devices  
103 or therapies the supervising physician is not qualified or authorized to prescribe;  
104 and

105 (6) A physician assistant may only dispense starter doses of medication  
106 to cover a period of time for seventy-two hours or less.

107 5. A physician assistant shall clearly identify himself or herself as a  
108 physician assistant and shall not use or permit to be used in the physician  
109 assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out  
110 in any way to be a physician or surgeon. No physician assistant shall practice or  
111 attempt to practice without physician supervision or in any location where the  
112 supervising physician is not immediately available for consultation, assistance  
113 and intervention, except as otherwise provided in this section, and in an  
114 emergency situation, nor shall any physician assistant bill a patient  
115 independently or directly for any services or procedure by the physician assistant;  
116 **however, this shall not be construed to prohibit a physician assistant**  
117 **from enrolling with the department of social services as a Medicaid**  
118 **provider while acting under a supervision agreement between the**  
119 **physician and physician assistant.**

120 6. For purposes of this section, the licensing of physician assistants shall  
121 take place within processes established by the state board of registration for the  
122 healing arts through rule and regulation. The board of healing arts is authorized  
123 to establish rules pursuant to chapter 536 establishing licensing and renewal  
124 procedures, supervision, supervision agreements, fees, and addressing such other  
125 matters as are necessary to protect the public and discipline the profession. An  
126 application for licensing may be denied or the license of a physician assistant may  
127 be suspended or revoked by the board in the same manner and for violation of the  
128 standards as set forth by section 334.100, or such other standards of conduct set  
129 by the board by rule or regulation. Persons licensed pursuant to the provisions  
130 of chapter 335 shall not be required to be licensed as physician assistants. All  
131 applicants for physician assistant licensure who complete a physician assistant  
132 training program after January 1, 2008, shall have a master's degree from a  
133 physician assistant program.

134 7. "Physician assistant supervision agreement" means a written

135 agreement, jointly agreed-upon protocols or standing order between a supervising  
136 physician and a physician assistant, which provides for the delegation of health  
137 care services from a supervising physician to a physician assistant and the review  
138 of such services. The agreement shall contain at least the following provisions:

139 (1) Complete names, home and business addresses, zip codes, telephone  
140 numbers, and state license numbers of the supervising physician and the  
141 physician assistant;

142 (2) A list of all offices or locations where the physician routinely provides  
143 patient care, and in which of such offices or locations the supervising physician  
144 has authorized the physician assistant to practice;

145 (3) All specialty or board certifications of the supervising physician;

146 (4) The manner of supervision between the supervising physician and the  
147 physician assistant, including how the supervising physician and the physician  
148 assistant shall:

149 (a) Attest on a form provided by the board that the physician shall provide  
150 supervision appropriate to the physician assistant's training and experience and  
151 that the physician assistant shall not practice beyond the scope of the physician  
152 assistant's training and experience nor the supervising physician's capabilities  
153 and training; and

154 (b) Provide coverage during absence, incapacity, infirmity, or emergency  
155 by the supervising physician;

156 (5) The duration of the supervision agreement between the supervising  
157 physician and physician assistant; and

158 (6) A description of the time and manner of the supervising physician's  
159 review of the physician assistant's delivery of health care services. Such  
160 description shall include provisions that the supervising physician, or a  
161 designated supervising physician listed in the supervision agreement review a  
162 minimum of ten percent of the charts of the physician assistant's delivery of  
163 health care services every fourteen days.

164 8. When a physician assistant supervision agreement is utilized to provide  
165 health care services for conditions other than acute self-limited or well-defined  
166 problems, the supervising physician or other physician designated in the  
167 supervision agreement shall see the patient for evaluation and approve or  
168 formulate the plan of treatment for new or significantly changed conditions as  
169 soon as practical, but in no case more than two weeks after the patient has been  
170 seen by the physician assistant.

171 9. At all times the physician is responsible for the oversight of the

172 activities of, and accepts responsibility for, health care services rendered by the  
173 physician assistant.

174 10. It is the responsibility of the supervising physician to determine and  
175 document the completion of at least a one-month period of time during which the  
176 licensed physician assistant shall practice with a supervising physician  
177 continuously present before practicing in a setting where a supervising physician  
178 is not continuously present.

179 11. No contract or other agreement shall require a physician to act as a  
180 supervising physician for a physician assistant against the physician's will. A  
181 physician shall have the right to refuse to act as a supervising physician, without  
182 penalty, for a particular physician assistant. No contract or other agreement  
183 shall limit the supervising physician's ultimate authority over any protocols or  
184 standing orders or in the delegation of the physician's authority to any physician  
185 assistant, but this requirement shall not authorize a physician in implementing  
186 such protocols, standing orders, or delegation to violate applicable standards for  
187 safe medical practice established by the hospital's medical staff.

188 12. Physician assistants shall file with the board a copy of their  
189 supervising physician form.

190 13. No physician shall be designated to serve as supervising physician for  
191 more than three full-time equivalent licensed physician assistants. This  
192 limitation shall not apply to physician assistant agreements of hospital employees  
193 providing inpatient care service in hospitals as defined in chapter 197.

337.615. 1. Each applicant for licensure as a clinical social worker shall  
2 furnish evidence to the committee that:

3 (1) The applicant has a master's degree from a college or university  
4 program of social work accredited by the council of social work education or a  
5 doctorate degree from a school of social work acceptable to the committee;

6 (2) The applicant has completed **at least** three thousand hours of  
7 supervised clinical experience with a qualified clinical supervisor, as defined in  
8 section 337.600, in no less than twenty-four months and no more than forty-eight  
9 consecutive calendar months. **For any applicant who has successfully**  
10 **completed at least four thousand hours of supervised clinical**  
11 **experience with a qualified clinical supervisor, as defined in section**  
12 **337.600, within the same time frame prescribed in this subsection, the**  
13 **applicant shall be eligible for application of licensure at three thousand**  
14 **hours and shall be furnished a certificate by the state committee for**  
15 **social workers acknowledging the completion of said additional hours;**

16 (3) The applicant has achieved a passing score, as defined by the  
17 committee, on an examination approved by the committee. The eligibility  
18 requirements for such examination shall be promulgated by rule of the committee;

19 (4) The applicant is at least eighteen years of age, is of good moral  
20 character, is a United States citizen or has status as a legal resident alien, and  
21 has not been convicted of a felony during the ten years immediately prior to  
22 application for licensure.

23 2. Any person holding a current license, certificate of registration, or  
24 permit from another state or territory of the United States or the District of  
25 Columbia to practice clinical social work who has had no disciplinary action taken  
26 against the license, certificate of registration, or permit for the preceding five  
27 years may be granted a license to practice clinical social work in this state if the  
28 person meets one of the following criteria:

29 (1) Has received a masters or doctoral degree from a college or university  
30 program of social work accredited by the council of social work education and has  
31 been licensed to practice clinical social work for the preceding five years; or

32 (2) Is currently licensed or certified as a clinical social worker in another  
33 state, territory of the United States, or the District of Columbia having  
34 substantially the same requirements as this state for clinical social workers.

35 3. The committee shall issue a license to each person who files an  
36 application and fee as required by the provisions of sections 337.600 to 337.689  
37 and who furnishes evidence satisfactory to the committee that the applicant has  
38 complied with the provisions of subdivisions (1) to (4) of subsection 1 of this  
39 section or with the provisions of subsection 2 of this section.

337.643. 1. No person shall use the title of licensed master social worker  
2 and engage in the practice of master social work in this state unless the person  
3 is licensed as required by the provisions of this section and section 337.644.

4 2. A licensed master social worker shall be deemed qualified to practice  
5 the applications of social work theory, knowledge, methods and ethics and the  
6 professional use of self to restore or enhance social, psychosocial, or  
7 biopsychosocial functioning of individuals, couples, families, groups,  
8 organizations, and communities. "Master social work practice" includes the  
9 applications of specialized knowledge and advanced practice skills in the  
10 management, information and referral, counseling, supervision, consultation,  
11 education, research, advocacy, community organization, and the development,  
12 implementation, and administration of policies, programs, and activities. Under  
13 supervision as provided in sections 337.600 to 337.689, the practice of master

14 social work may include the practices reserved to clinical social workers or  
15 advanced macro social workers for no more than forty-eight consecutive calendar  
16 months for the purpose of obtaining licensure under section 337.615 or 337.645.  
17 **No licensed master social worker shall practice independently the**  
18 **scope of practice reserved for clinical social workers or advanced**  
19 **macro social workers. This shall mean that any practices reserved to**  
20 **licensed clinical social workers or licensed advanced macro social**  
21 **workers performed by a licensed master social worker shall be for the**  
22 **purpose of obtaining licensure under section 337.615 or 337.645 in an**  
23 **employment setting where either a licensed clinical social worker or a**  
24 **licensed advanced macro social worker is a registered supervisor**  
25 **approved by the state committee for social work.**

337.645. 1. Each applicant for licensure as an advanced macro social  
2 worker shall furnish evidence to the committee that:

3 (1) The applicant has a master's degree from a college or university  
4 program of social work accredited by the council of social work education or a  
5 doctorate degree from a school of social work acceptable to the committee;

6 (2) The applicant has completed **at least three thousand hours of**  
7 **supervised advanced macro experience with a qualified advanced macro**  
8 **supervisor as defined in section 337.600 in no less than twenty-four months and**  
9 **no more than forty-eight consecutive calendar months. For any applicant who**  
10 **has successfully completed at least four thousand hours of supervised**  
11 **advanced macro experience with a qualified advanced macro**  
12 **supervisor, as defined in section 337.600, within the same time frame**  
13 **prescribed in this subsection, the applicant shall be eligible for**  
14 **application of licensure at three thousand hours and shall be furnished**  
15 **a certificate by the state committee for social workers acknowledging**  
16 **the completion of said additional hours;**

17 (3) The applicant has achieved a passing score, as defined by the  
18 committee, on an examination approved by the committee. The eligibility  
19 requirements for such examination shall be promulgated by rule of the committee;

20 (4) The applicant is at least eighteen years of age, is of good moral  
21 character, is a United States citizen or has status as a legal resident alien, and  
22 has not been convicted of a felony during the ten years immediately prior to  
23 application for licensure.

24 2. Any person holding a current license, certificate of registration, or  
25 permit from another state or territory of the United States or the District of

26 Columbia to practice advanced macro social work who has had no disciplinary  
27 action taken against the license, certificate of registration, or permit for the  
28 preceding five years may be granted a license to practice advanced macro social  
29 work in this state if the person meets one of the following criteria:

30 (1) Has received a master's or doctoral degree from a college or university  
31 program of social work accredited by the council of social work education and has  
32 been licensed to practice advanced macro social work for the preceding five years;  
33 or

34 (2) Is currently licensed or certified as an advanced macro social worker  
35 in another state, territory of the United States, or the District of Columbia having  
36 substantially the same requirements as this state for advanced macro social  
37 workers.

38 3. The committee shall issue a license to each person who files an  
39 application and fee as required by the provisions of sections 337.600 to 337.689  
40 and who furnishes evidence satisfactory to the committee that the applicant has  
41 complied with the provisions of subdivisions (1) to (4) of subsection 1 of this  
42 section or with the provisions of subsection 2 of this section.

338.010. 1. The "practice of pharmacy" means the interpretation,  
2 implementation, and evaluation of medical prescription orders, including any  
3 legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of  
4 such orders or facilitating the dispensing of such orders; the designing, initiating,  
5 implementing, and monitoring of a medication therapeutic plan as defined by the  
6 prescription order so long as the prescription order is specific to each patient for  
7 care by a pharmacist; the compounding, dispensing, labeling, and administration  
8 of drugs and devices pursuant to medical prescription orders and administration  
9 of viral influenza, pneumonia, shingles, **hepatitis A, hepatitis B, diphtheria,**  
10 **tetanus, pertussis,** and meningitis vaccines by written protocol authorized by  
11 a physician for persons twelve years of age or older as authorized by rule or the  
12 administration of pneumonia, shingles, **hepatitis A, hepatitis B, diphtheria,**  
13 **tetanus, pertussis,** and meningitis vaccines by written protocol authorized by  
14 a physician for a specific patient as authorized by rule; the participation in drug  
15 selection according to state law and participation in drug utilization reviews; the  
16 proper and safe storage of drugs and devices and the maintenance of proper  
17 records thereof; consultation with patients and other health care practitioners,  
18 and veterinarians and their clients about legend drugs, about the safe and  
19 effective use of drugs and devices; and the offering or performing of those acts,  
20 services, operations, or transactions necessary in the conduct, operation,