

FIRST REGULAR SESSION

HOUSE BILL NO. 1308

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MYERS.

2571H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 198.082, 211.326, 337.618, and 590.050, RSMo, and to enact in lieu thereof five new sections relating to sex and human trafficking awareness training, with penalty provisions.

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

Section A. Sections 198.082, 211.326, 337.618, and 590.050, RSMo, are repealed and
2 five new sections enacted in lieu thereof, to be known as sections 198.082, 211.326, 335.059,
3 337.618, and 590.050, to read as follows:

198.082. 1. Each certified nursing assistant hired to work in a skilled nursing or
2 intermediate care facility after January 1, 1980, shall have successfully completed a nursing
3 assistant training program approved by the department or shall enroll in and begin the first
4 available approved training program which is scheduled to commence within ninety days of
5 the date of the certified nursing assistant's employment and which shall be completed within
6 four months of employment. Training programs shall be offered at any facility licensed by
7 the department of health and senior services; any skilled nursing or intermediate care unit in a
8 Missouri veterans home, as defined in section 42.002; or any hospital, as defined in section
9 197.020. Training programs shall be reasonably accessible to the enrollees in each class. The
10 program may be established by a skilled nursing or intermediate care facility, unit, or hospital;
11 by a professional organization; or by the department, and training shall be given by the
12 personnel of the facility, unit, or hospital; by a professional organization; by the department;
13 by any community college; or by the vocational education department of any high school.

14 2. As used in this section the term "certified nursing assistant" means an employee
15 who has completed the training required under subsection 1 of this section, who has passed

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

16 the certification exam, and who is assigned by a skilled nursing or intermediate care facility,
17 unit, or hospital to provide or assist in the provision of direct resident health care services
18 under the supervision of a nurse licensed under the nursing practice law, chapter 335.

19 3. This section shall not apply to any person otherwise regulated or licensed to
20 perform health care services under the laws of this state. It shall not apply to volunteers or to
21 members of religious or fraternal orders which operate and administer the facility, if such
22 volunteers or members work without compensation.

23 4. The training program requirements shall be defined in regulation by the department
24 and shall require at least seventy-five classroom hours of training and one hundred hours
25 supervised and on-the-job training. On-the-job training sites shall include supervised
26 practical training in a laboratory or other setting in which the trainee demonstrates knowledge
27 while performing tasks on an individual under the direct supervision of a registered nurse or a
28 licensed practical nurse. The training shall be completed within four months of employment
29 and may consist of normal employment as nurse assistants or hospital nursing support staff
30 under the supervision of a licensed nurse.

31 5. Certified nursing assistants who have not successfully completed the nursing
32 assistant training program prior to employment may begin duties as a certified nursing
33 assistant and may provide direct resident care only if under the direct supervision of a
34 licensed nurse prior to completion of the seventy-five classroom hours of the training
35 program.

36 6. The competency evaluation shall be performed in a facility, as defined in 42 CFR
37 Sec. 483.5, or laboratory setting comparable to the setting in which the individual shall
38 function as a certified nursing assistant.

39 7. Persons completing the training requirements of unlicensed assistive personnel
40 under 19 CSR 30-20.125 or its successor regulation, and who have completed the competency
41 evaluation, shall be allowed to sit for the certified nursing assistant examination and be
42 deemed to have fulfilled the classroom and clinical standards for designation as a certified
43 nursing assistant.

44 8. The department of health and senior services may offer additional training
45 programs and certifications to students who are already certified as nursing assistants
46 according to regulations promulgated by the department and curriculum approved by the
47 board.

48 **9. Each certified nursing assistant shall annually complete one hour of sex and**
49 **human trafficking awareness training.**

211.326. 1. The state courts administrator shall:

- 2 (1) Evaluate existing services by establishing performance standards including
3 performance standards for juvenile courts receiving diversion funds;

4 (2) Develop standards for orientation training for all new juvenile court professional
5 personnel, including juvenile officers, deputy juvenile officers and other personnel deemed
6 necessary by the state courts administrator;

7 (3) Develop standards for continuing education for existing juvenile court
8 professional personnel, including juvenile officers, deputy juvenile officers and other
9 personnel deemed necessary by the state courts administrator;

10 (4) Develop a process to evaluate services and collect relevant outcome data;

11 (5) Develop a standardized assessment form for classifying juvenile offenders; and

12 (6) Develop guidelines for juvenile court judges to use in determining the length of
13 time a child may be detained prior to informal adjustment or formal adjudication.

14 2. Standards, training and assessment forms developed pursuant to subsection 1 of
15 this section shall be developed considering racial disparities in the juvenile justice system.

16 **3. Continuing education standards established under subdivision (3) of**
17 **subsection 1 of this section shall include a requirement that each juvenile officer**
18 **annually completes one hour of sex and human trafficking awareness training.**

335.059. Each registered nurse, licensed practical nurse, and advanced practice
2 **registered nurse licensed under this chapter shall annually complete one hour of sex and**
3 **human trafficking awareness training.**

337.618. Each license issued pursuant to the provisions of sections 337.600 to
2 337.689 shall expire on a renewal date established by the director. The term of licensure shall
3 be twenty-four months. The committee shall require a minimum number of thirty clock hours
4 of continuing education for renewal of a license issued pursuant to sections 337.600 to
5 337.689, including two hours of suicide assessment, referral, treatment, and management
6 training **and two hours of sex and human trafficking awareness training.** The committee
7 shall renew any license upon application for a renewal, completion of the required continuing
8 education hours and upon payment of the fee established by the committee pursuant to the
9 provisions of section 337.612. As provided by rule, the board may waive or extend the time
10 requirements for completion of continuing education for reasons related to health, military
11 service, foreign residency, or for other good cause. All requests for waivers or extensions of
12 time shall be made in writing and submitted to the board before the renewal date.

590.050. 1. **(1)** The POST commission shall establish requirements for the
2 continuing education of all peace officers.

3 **(2) Each peace officer shall be required to receive six hours of sex and human**
4 **trafficking awareness training within the law enforcement continuing education three-**
5 **year reporting period.**

6 **(3)** Peace officers who make traffic stops shall be required to receive three hours of
7 training within the law enforcement continuing education three-year reporting period

8 concerning the prohibition against racial profiling and such training shall promote
9 understanding and respect for racial and cultural differences and the use of effective,
10 noncombative methods for carrying out law enforcement duties in a racially and culturally
11 diverse environment.

12 2. The director shall license continuing education providers and may probate, suspend
13 and revoke such licenses upon written notice stating the reasons for such action. Any person
14 aggrieved by a decision of the director pursuant to this subsection may appeal as provided in
15 chapter 536.

16 3. The costs of continuing law enforcement education shall be reimbursed in part by
17 moneys from the peace officer standards and training commission fund created in section
18 590.178, subject to availability of funds, except that no such funds shall be used for the
19 training of any person not actively commissioned or employed by a county or municipal law
20 enforcement agency.

21 4. The director may engage in any activity intended to further the professionalism of
22 peace officers through training and education, including the provision of specialized training
23 through the department of public safety.

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