

FIRST REGULAR SESSION

HOUSE BILL NO. 307

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALKER.

0855H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 337.020, 337.025, 337.050, 337.315, 337.320, 337.507, 337.510, 337.515, 337.612, 337.615, 337.618, 337.662, 337.712, 337.715, and 337.718, RSMo, and to enact in lieu thereof sixteen new sections relating to cultural competency training for health care professionals.

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

Section A. Sections 337.020, 337.025, 337.050, 337.315, 337.320, 337.507, 337.510, 337.515, 337.612, 337.615, 337.618, 337.662, 337.712, 337.715, and 337.718, RSMo, are repealed and sixteen new sections enacted in lieu thereof, to be known as sections 324.037, 337.020, 337.025, 337.050, 337.315, 337.320, 337.507, 337.510, 337.515, 337.612, 337.615, 337.618, 337.662, 337.712, 337.715, and 337.718, to read as follows:

324.037. 1. For the purposes of this section, the term "health care professional" shall mean a physician, other health care practitioner, or mental health professional licensed, accredited, or certified by the state of Missouri to perform specified health services.

2. Any health care professional in the state of Missouri may annually complete up to two hours of cultural competency training, which shall qualify as part of the continuing education requirements for his or her licensure.

337.020. 1. Each person desiring to obtain a license, whether temporary, provisional or permanent, as a psychologist shall make application to the committee upon such forms and in such manner as may be prescribed by the committee and shall pay the required application fee. The form shall include a statement that the applicant has completed two hours of suicide assessment, referral, treatment, and management training [~~that meets~~] **and two hours of cultural**

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.

6 **competency training, both of which shall meet** the guidelines developed by the committee.
7 The committee shall not charge an application fee until such time that the application has been
8 approved. In the event that an application is denied or rejected, no application fee shall be
9 charged. The application fee shall not be refundable. Each application shall contain a statement
10 that it is made under oath or affirmation and that its representations are true and correct to the
11 best knowledge and belief of the person signing the application, subject to the penalties of
12 making a false affidavit or declaration.

13 2. Each applicant, whether for temporary, provisional or permanent licensure, shall
14 submit evidence satisfactory to the committee that the applicant is at least twenty-one years of
15 age, is of good moral character, and meets the appropriate educational requirements as set forth
16 in either section 337.021 or 337.025, or is qualified for licensure without examination pursuant
17 to section 337.029. In determining the acceptability of the applicant's qualifications, the
18 committee may require evidence that it deems reasonable and proper, in accordance with law,
19 and the applicant shall furnish the evidence in the manner required by the committee.

20 3. The committee with assistance from the division shall issue a permanent license to
21 and register as a psychologist any applicant who, in addition to having fulfilled the other
22 requirements of sections 337.010 to 337.090, passes the examination for professional practice
23 in psychology and such other examinations in psychology which may be adopted by the
24 committee, except that an applicant fulfilling the requirement of section 337.029 shall upon
25 successful completion of the jurisprudence examination and completion of the oral examination
26 be permanently licensed without having to retake the examination for professional practice in
27 psychology.

28 4. The committee, with assistance from the division, shall issue a provisional license to,
29 and register as being a provisionally licensed psychologist, any applicant who is a graduate of
30 a recognized educational institution with a doctoral degree in psychology as defined in section
31 337.025, and who otherwise meets all requirements to become a licensed psychologist, except
32 for passage of the national and state licensing exams, oral examination and completion of the
33 required period of postdegree supervised experience as specified in subsection 2 of section
34 337.025.

35 5. A provisional license issued pursuant to subsection 4 of this section shall only
36 authorize and permit the applicant to render those psychological services which are under the
37 supervision and the full professional responsibility and control of such person's postdoctoral
38 degree licensed supervisor. A provisional license shall automatically terminate upon issuance
39 of a permanent license, upon a finding of cause to discipline after notice and hearing pursuant
40 to section 337.035, upon the expiration of one year from the date of issuance whichever event
41 first occurs, or upon termination of supervision by the licensed supervisor. The provisional

42 license may be renewed after one year with a maximum issuance of two years total per
43 provisional licensee. The committee by rule shall provide procedures for exceptions and
44 variances from the requirement of a maximum issuance of two years due to vacations, illness,
45 pregnancy and other good causes.

46 6. The committee, with assistance from the division, shall immediately issue a temporary
47 license to any applicant for licensure either by reciprocity pursuant to section 337.029, or by
48 endorsement of the score from the examination for professional practice in psychology upon
49 receipt of an application for such licensure and upon proof that the applicant is either licensed
50 as a psychologist in another jurisdiction, is a diplomate of the American Board of Professional
51 Psychology, or is a member of the National Register of Health Services Providers in Psychology.

52 7. A temporary license issued pursuant to subsection 6 of this section shall authorize the
53 applicant to practice psychology in this state, the same as if a permanent license had been issued.
54 Such temporary license shall be issued without payment of an additional fee and shall remain in
55 full force and effect until the earlier of the following events:

56 (1) A permanent license has been issued to the applicant following successful completion
57 of the jurisprudence examination and the oral interview examination;

58 (2) In cases where the committee has found the applicant ineligible for licensure and no
59 appeal has been taken to the administrative hearing commission, then at the expiration of such
60 appeal time; or

61 (3) In cases where the committee has found the applicant ineligible for licensure and the
62 applicant has taken an appeal to the administrative hearing commission and the administrative
63 hearing commission has also found the applicant ineligible, then upon the rendition by the
64 administrative hearing commission of its findings of fact and conclusions of law to such effect.

65 8. Written and oral examinations pursuant to sections 337.010 to 337.090 shall be
66 administered by the committee at least twice each year to any applicant who meets the
67 educational requirements set forth in either section 337.021 or 337.025 or to any applicant who
68 is seeking licensure either by reciprocity pursuant to section 337.029, or by endorsement of the
69 score from the examination of professional practice in psychology. The committee shall examine
70 in the areas of professional knowledge, techniques and applications, research and its
71 interpretation, professional affairs, ethics, and Missouri law and regulations governing the
72 practice of psychology. The committee may use, in whole or in part, the examination for
73 professional practice in psychology national examination in psychology or such other national
74 examination in psychology which may be available.

75 9. If an applicant fails any examination, the applicant shall be permitted to take a
76 subsequent examination, upon the payment of an additional reexamination fee. This
77 reexamination fee shall not be refundable.

337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, [and] has had at least one year of satisfactory supervised professional experience in the field of psychology, **and has completed two hours of cultural competency training that meets the guidelines developed by the committee.**

3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association (APA), the Canadian Psychological Association (CPA), or the Psychological Clinical Science Accreditation System (PCSAS); provided that, such program includes a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology; or

(2) A program designated or approved, including provisional approval, by the Association of State and Provincial Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

(e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;

(f) The program shall have an identifiable body of students who are matriculated in that program for a degree;

(g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;

36 (h) The curriculum shall encompass a minimum of three academic years of full-time
37 graduate study, with a minimum of one year's residency at the educational institution granting
38 the doctoral degree; and

39 (i) Require the completion by the applicant of a core program in psychology which shall
40 be met by the completion and award of at least one three-semester-hour graduate credit course
41 or a combination of graduate credit courses totaling three semester hours or five quarter hours
42 in each of the following areas:

43 a. The biological bases of behavior such as courses in: physiological psychology,
44 comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

45 b. The cognitive-affective bases of behavior such as courses in: learning, thinking,
46 motivation, emotion, and cognitive psychology;

47 c. The social bases of behavior such as courses in: social psychology, group
48 processes/dynamics, interpersonal relationships, and organizational and systems theory;

49 d. Individual differences such as courses in: personality theory, human development,
50 abnormal psychology, developmental psychology, child psychology, adolescent psychology,
51 psychology of aging, and theories of personality;

52 e. The scientific methods and procedures of understanding, predicting and influencing
53 human behavior such as courses in: statistics, experimental design, psychometrics, individual
54 testing, group testing, and research design and methodology.

55 4. Acceptable supervised professional experience may be accrued through preinternship,
56 internship, predoctoral postinternship, or postdoctoral experiences. The academic training
57 director or the postdoctoral training supervisor shall attest to the hours accrued to meet the
58 requirements of this section. Such hours shall consist of:

59 (1) A minimum of fifteen hundred hours of experience in a successfully completed
60 internship to be completed in not less than twelve nor more than twenty-four months; and

61 (2) A minimum of two thousand hours of experience consisting of any combination of
62 the following:

63 (a) Preinternship and predoctoral postinternship professional experience that occurs
64 following the completion of the first year of the doctoral program or at any time while in a
65 doctoral program after completion of a master's degree in psychology or equivalent as defined
66 by rule by the committee;

67 (b) Up to seven hundred fifty hours obtained while on the internship under subdivision
68 (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this
69 subsection; or

70 (c) Postdoctoral professional experience obtained in no more than twenty-four
71 consecutive calendar months. In no case shall this experience be accumulated at a rate of more

72 than fifty hours per week. Postdoctoral supervised professional experience for prospective health
73 service providers and other applicants shall involve and relate to the delivery of psychological
74 services in accordance with professional requirements and relevant to the applicant's intended
75 area of practice.

76 5. Experience for those applicants who intend to seek health service provider
77 certification and who have completed a program in one or more of the American Psychological
78 Association designated health service provider delivery areas shall be obtained under the primary
79 supervision of a licensed psychologist who is also a health service provider or who otherwise
80 meets the requirements for health service provider certification. Experience for those applicants
81 who do not intend to seek health service provider certification shall be obtained under the
82 primary supervision of a licensed psychologist or such other qualified mental health professional
83 approved by the committee.

84 6. For postinternship and postdoctoral hours, the psychological activities of the applicant
85 shall be performed pursuant to the primary supervisor's order, control, and full professional
86 responsibility. The primary supervisor shall maintain a continuing relationship with the
87 applicant and shall meet with the applicant a minimum of one hour per month in face-to-face
88 individual supervision. Clinical supervision may be delegated by the primary supervisor to one
89 or more secondary supervisors who are qualified psychologists. The secondary supervisors shall
90 retain order, control, and full professional responsibility for the applicant's clinical work under
91 their supervision and shall meet with the applicant a minimum of one hour per week in
92 face-to-face individual supervision. If the primary supervisor is also the clinical supervisor,
93 meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable
94 for supervised professional experience. The primary supervisor shall certify to the committee
95 that the applicant has complied with these requirements and that the applicant has demonstrated
96 ethical and competent practice of psychology. The changing by an agency of the primary
97 supervisor during the course of the supervised experience shall not invalidate the supervised
98 experience.

99 7. The committee by rule shall provide procedures for exceptions and variances from the
100 requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and
101 other good causes.

337.050. 1. There is hereby created and established a "State Committee of
2 Psychologists", which shall consist of seven licensed psychologists and one public member. The
3 state committee of psychologists existing on August 28, 1989, is abolished. Nothing in this
4 section shall be construed to prevent the appointment of any current member of the state
5 committee of psychologists to the new state committee of psychologists created on August 28,
6 1989.

7 2. Appointments to the committee shall be made by the governor upon the
8 recommendations of the director of the division, upon the advice and consent of the senate. The
9 division, prior to submitting nominations, shall solicit nominees from professional psychological
10 associations and licensed psychologists in the state. The term of office for committee members
11 shall be five years, and committee members shall not serve more than ten years. No person who
12 has previously served on the committee for ten years shall be eligible for appointment. In
13 making initial appointments to the committee, the governor shall stagger the terms of the
14 appointees so that two members serve initial terms of two years, two members serve initial terms
15 of three years, and two members serve initial terms of four years.

16 3. Each committee member shall be a resident of the state of Missouri for one year, shall
17 be a United States citizen, and shall, other than the public member, have been licensed as a
18 psychologist in this state for at least three years. Committee members shall reflect a diversity
19 of practice specialties. To ensure adequate representation of the diverse fields of psychology,
20 the committee shall consist of at least two psychologists who are engaged full time in the
21 doctoral teaching and training of psychologists, and at least two psychologists who are engaged
22 full time in the professional practice of psychology. In addition, the first appointment to the
23 committee shall include at least one psychologist who shall be licensed on the basis of a master's
24 degree who shall serve a full term of five years. Nothing in sections 337.010 to 337.090 shall
25 be construed to prohibit full membership rights on the committee for psychologists licensed on
26 the basis of a master's degree. If a member of the committee shall, during the member's term as
27 a committee member, remove the member's domicile from the state of Missouri, then the
28 committee shall immediately notify the director of the division, and the seat of that committee
29 member shall be declared vacant. All such vacancies shall be filled by appointment of the
30 governor with the advice and consent of the senate, and the member so appointed shall serve for
31 the unexpired term of the member whose seat has been declared vacant.

32 4. The public member shall be at the time of the public member's appointment a citizen
33 of the United States; a resident of this state for a period of one year and a registered voter; a
34 person who is not and never was a member of any profession licensed or regulated pursuant to
35 sections 337.010 to 337.093 or the spouse of such person; and a person who does not have and
36 never has had a material, financial interest in either the providing of the professional services
37 regulated by sections 337.010 to 337.093, or an activity or organization directly related to any
38 profession licensed or regulated pursuant to sections 337.010 to 337.093. The duties of the
39 public member shall not include the determination of the technical requirements to be met for
40 licensure or whether any person meets such technical requirements or of the technical
41 competence or technical judgment of a licensee or a candidate for licensure.

42 5. The committee shall hold a regular annual meeting at which it shall select from among
43 its members a chairperson and a secretary. A quorum of the committee shall consist of a
44 majority of its members. In the absence of the chairperson, the secretary shall conduct the office
45 of the chairperson.

46 6. Each member of the committee shall receive, as compensation, an amount set by the
47 division not to exceed fifty dollars for each day devoted to the affairs of the committee and shall
48 be entitled to reimbursement for necessary and actual expenses incurred in the performance of
49 the member's official duties.

50 7. Staff for the committee shall be provided by the director of the division of professional
51 registration.

52 8. The governor may remove any member of the committee for misconduct, inefficiency,
53 incompetency, or neglect of office.

54 9. In addition to the powers set forth elsewhere in sections 337.010 to 337.090, the
55 division may adopt rules and regulations, not otherwise inconsistent with sections 337.010 to
56 337.090, to carry out the provisions of sections 337.010 to 337.090. The committee may
57 promulgate, by rule, "Ethical Rules of Conduct" governing the practices of psychology which
58 rules shall be based upon the ethical principles promulgated and published by the American
59 Psychological Association.

60 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
61 promulgated to administer and enforce sections 337.010 to 337.090, shall become effective only
62 if the agency has fully complied with all of the requirements of chapter 536 including but not
63 limited to section 536.028 if applicable, after August 28, 1998. All rulemaking authority
64 delegated prior to August 28, 1998, is of no force and effect and repealed as of August 28, 1998,
65 however nothing in this act shall be interpreted to repeal or affect the validity of any rule adopted
66 and promulgated prior to August 28, 1998. If the provisions of section 536.028 apply, the
67 provisions of this section are nonseverable and if any of the powers vested with the general
68 assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and
69 annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of
70 rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be
71 invalid and void, except that nothing in this act shall affect the validity of any rule adopted and
72 promulgated prior to August 28, 1998.

73 11. The committee may sue and be sued in its official name, and shall have a seal which
74 shall be affixed to all certified copies or records and papers on file, and to such other instruments
75 as the committee may direct. All courts shall take judicial notice of such seal. Copies of records
76 and proceedings of the committee, and of all papers on file with the division on behalf of the
77 committee certified under the seal shall be received as evidence in all courts of record.

78 12. When applying for a renewal of a license pursuant to section 337.030, each licensed
79 psychologist shall submit proof of the completion of at least forty hours of continuing education
80 credit within the two-year period immediately preceding the date of the application for renewal
81 of the license, **which shall include two hours of cultural competency training that meets**
82 **guidelines developed by the committee.** The type of continuing education to be considered
83 shall include, but not be limited to:

84 (1) Attending recognized educational seminars, the content of which are primarily
85 psychological, as defined by rule;

86 (2) Attending a graduate level course at a recognized educational institution where the
87 contents of which are primarily psychological, as defined by rule;

88 (3) Presenting a recognized educational seminar, the contents of which are primarily
89 psychological, as defined by rule;

90 (4) Presenting a graduate level course at a recognized educational institution where the
91 contents of which are primarily psychological, as defined by rule; and

92 (5) Independent course of studies, the contents of which are primarily psychological,
93 which have been approved by the committee and defined by rule.

94

95 The committee shall determine by administrative rule the amount of training, instruction,
96 self-instruction or teaching that shall be counted as an hour of continuing education credit.

337.315. 1. An applied behavior analysis intervention shall produce socially significant
2 improvements in human behavior through skill acquisition, increase or decrease in behaviors
3 under specific environmental conditions and the reduction of problematic behavior. An applied
4 behavior analysis intervention shall:

5 (1) Be based on empirical research and the identification of functional relations between
6 behavior and environment, contextual factors, antecedent stimuli and reinforcement operations
7 through the direct observation and measurement of behavior, arrangement of events and
8 observation of effects on behavior, as well as other information gathering methods such as record
9 review and interviews; and

10 (2) Utilize changes and arrangements of contextual factors, antecedent stimuli, positive
11 reinforcement, and other consequences to produce behavior change.

12 2. Each person wishing to practice as a licensed behavior analyst shall:

13 (1) Submit a complete application on a form approved by the committee, which shall
14 include a statement that the applicant has completed two hours of suicide assessment, referral,
15 treatment, and management training, **and two hours of cultural competency training required**
16 **under subdivision (2) of this subsection;**

17 (2) **Complete two hours of cultural competency training that meets the guidelines**
18 **developed by the committee;**

19 (3) Pay all necessary fees as set by the committee;

20 ~~[(3)]~~ (4) Submit a two-inch or three-inch photograph or passport photograph taken no
21 more than six months prior to the application date;

22 ~~[(4)]~~ (5) Provide two classified sets of fingerprints for processing by the Missouri state
23 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol
24 to search the criminal history repository and the second set shall be forwarded to the Federal
25 Bureau of Investigation for searching the federal criminal history files;

26 ~~[(5)]~~ (6) Have passed an examination and been certified as a board-certified behavior
27 analyst by a certifying entity, as defined in section 337.300;

28 ~~[(6)]~~ (7) Provide evidence of active status as a board-certified behavior analyst; and

29 ~~[(7)]~~ (8) If the applicant holds a license as a behavior analyst in another state, a statement
30 from all issuing states verifying licensure and identifying any disciplinary action taken against
31 the license holder by that state.

32 3. Each person wishing to practice as a licensed assistant behavior analyst shall:

33 (1) Submit a complete application on a form approved by the committee;

34 (2) Pay all necessary fees as set by the committee;

35 (3) Submit a two-inch or three-inch photograph or passport photograph taken no more
36 than six months prior to the application date;

37 (4) Provide two classified sets of fingerprints for processing by the Missouri state
38 highway patrol under section 43.543. One set of fingerprints shall be used by the highway patrol
39 to search the criminal history repository and the second set shall be forwarded to the Federal
40 Bureau of Investigation for searching the federal criminal history files;

41 (5) Have passed an examination and been certified as a board-certified assistant behavior
42 analyst by a certifying entity, as defined in section 337.300;

43 (6) Provide evidence of active status as a board-certified assistant behavior analyst;

44 (7) If the applicant holds a license as an assistant behavior analyst in another state, a
45 statement from all issuing states verifying licensure and identifying any disciplinary action taken
46 against the license holder by that state; and

47 (8) Submit documentation satisfactory to the committee that the applicant will be directly
48 supervised by a licensed behavior analyst in a manner consistent with the certifying entity.

49 4. The committee shall be authorized to issue a temporary license to an applicant for a
50 behavior analyst license or assistant behavior analyst license upon receipt of a complete
51 application, submission of a fee as set by the committee by rule for behavior analyst or assistant
52 behavior analyst, and a showing of valid licensure as a behavior analyst or assistant behavior

53 analyst in another state, only if the applicant has submitted fingerprints and no disqualifying
54 criminal history appears on the family care safety registry. The temporary license shall expire
55 upon issuance of a license or denial of the application but no later than ninety days from issuance
56 of the temporary license. Upon written request to the committee, the holder of a temporary
57 license shall be entitled to one extension of ninety days of the temporary license.

58 5. (1) The committee shall, in accordance with rules promulgated by the committee,
59 issue a provisional behavior analyst license or a provisional assistant behavior analyst license
60 upon receipt by the committee of a complete application, appropriate fee as set by the committee
61 by rule, and proof of satisfaction of requirements under subsections 2 and 3 of this section,
62 respectively, and other requirements established by the committee by rule, except that applicants
63 for a provisional license as either a behavior analyst or assistant behavior analyst need not have
64 passed an examination and been certified as a board-certified behavior analyst or a
65 board-certified assistant behavior analyst to obtain a provisional behavior analyst or provisional
66 assistant behavior analyst license.

67 (2) A provisional license issued under this subsection shall only authorize and permit the
68 licensee to render behavior analysis under the supervision and the full professional responsibility
69 and control of such licensee's licensed supervisor.

70 (3) A provisional license shall automatically terminate upon issuance of a permanent
71 license, upon a finding of cause to discipline after notice and hearing under section 337.330,
72 upon termination of supervision by a licensed supervisor, or upon the expiration of one year from
73 the date of issuance of the provisional license, whichever first occurs. The provisional license
74 may be renewed after one year, with a maximum issuance of two years. Upon a showing of good
75 cause, the committee by rule shall provide procedures for exceptions and variances from the
76 requirement of a maximum issuance of two years.

77 6. No person shall hold himself or herself out to be licensed behavior analysts or LBA,
78 provisionally licensed behavior analyst or PLBA, provisionally licensed assistant behavior
79 analyst or PLABA, temporary licensed behavior analyst or TLBA, or temporary licensed
80 assistant behavior analyst or TLaBA, licensed assistant behavior analysts or LaBA in the state
81 of Missouri unless they meet the applicable requirements.

82 7. No persons shall practice applied behavior analysis unless they are:

83 (1) Licensed behavior analysts;

84 (2) Licensed assistant behavior analysts working under the supervision of a licensed
85 behavior analyst;

86 (3) An individual who has a bachelor's or graduate degree and completed course work
87 for licensure as a behavior analyst and is obtaining supervised field experience under a licensed

88 behavior analyst pursuant to required supervised work experience for licensure at the behavior
89 analyst or assistant behavior analyst level;

90 (4) Licensed psychologists practicing within the rules and standards of practice for
91 psychologists in the state of Missouri and whose practice is commensurate with their level of
92 training and experience;

93 (5) Provisionally licensed behavior analysts;

94 (6) Provisionally licensed assistant behavior analysts;

95 (7) Temporary licensed behavior analysts; or

96 (8) Temporary licensed assistant behavior analysts.

97 8. Notwithstanding the provisions in subsection 6 of this section, any licensed or
98 certified professional may practice components of applied behavior analysis, as defined in
99 section 337.300 if he or she is acting within his or her applicable scope of practice and ethical
100 guidelines.

101 9. All licensed behavior analysts and licensed assistant behavior analysts shall be bound
102 by the code of conduct adopted by the committee by rule.

103 10. Licensed assistant behavior analysts shall work under the direct supervision of a
104 licensed behavior analyst as established by committee rule.

105 11. Persons who provide services under the Individuals with Disabilities Education Act
106 (IDEA), 20 U.S.C. Section 1400, et seq., or Section 504 of the federal Rehabilitation Act of
107 1973, 29 U.S.C. Section 794, or are enrolled in a course of study at a recognized educational
108 institution through which the person provides applied behavior analysis as part of supervised
109 clinical experience shall be exempt from the requirements of this section.

110 12. A violation of this section shall be punishable by probation, suspension, or loss of
111 any license held by the violator.

337.320. 1. The division shall mail a renewal notice to the last known address of each
2 licensee or registrant prior to the renewal date.

3 2. Each person wishing to renew the behavior analyst license or the assistant behavior
4 analyst license shall:

5 (1) Submit a complete application on a form approved by the committee, which shall
6 include a statement that the applicant has completed two hours of suicide assessment, referral,
7 treatment, and management training, **and two hours of cultural competency training required**
8 **under subdivision (2) of this subsection;**

9 (2) **Complete two hours of cultural competency training that meets guidelines**
10 **developed by the committee;**

11 (3) Pay all necessary fees as set by the committee; and

12 ~~[(3)]~~ (4) Submit proof of active certification and fulfillment of all requirements for
13 renewal and recertification with the certifying entity.

14 3. Failure to provide the division with documentation required by subsection 2 of this
15 section or other information required for renewal shall effect a revocation of the license after a
16 period of sixty days from the renewal date.

17 4. Each person wishing to restore the license, within two years of the renewal date, shall:

18 (1) Submit a complete application on a form approved by the committee;

19 (2) Pay the renewal fee and a delinquency fee as set by the committee; and

20 (3) Submit proof of current certification from a certifying body approved by the
21 committee.

22 5. A new license to replace any certificate lost, destroyed, or mutilated may be issued
23 subject to the rules of the committee, upon payment of a fee established by the committee.

24 6. The committee shall set the amount of the fees authorized by sections 337.300 to
25 337.345 and required by rules promulgated under section 536.021. The fees shall be set at a
26 level to produce revenue which shall not substantially exceed the cost and expense of
27 administering sections 337.300 to 337.345.

28 7. The committee is authorized to issue an inactive license to any licensee who makes
29 written application for such license on a form provided by the committee and remits the fee for
30 an inactive license established by the committee. An inactive license may be issued only to a
31 person who has previously been issued a license to practice as a licensed behavior analyst or a
32 licensed assistant behavior analyst who is no longer regularly engaged in such practice and who
33 does not hold himself or herself out to the public as being professionally engaged in such practice
34 in this state. Each inactive license shall be subject to all provisions of this chapter, except as
35 otherwise specifically provided. Each inactive license may be renewed by the committee subject
36 to all provisions of this section and all other provisions of this chapter. The inactive licensee
37 shall not be required to submit evidence of completion of continuing education as required by
38 this chapter.

39 8. An inactive licensee may apply for a license to regularly engage in the practice of
40 behavioral analysis by:

41 (1) Submitting a complete application on a form approved by the committee;

42 (2) Paying the reactivation fee as set by the committee; and

43 (3) Submitting proof of current certification from a certifying body approved by the
44 committee.

 337.507. 1. Applications for examination and licensure as a professional counselor shall
2 be in writing, submitted to the division on forms prescribed by the division and furnished to the
3 applicant. The form shall include a statement that the applicant has completed two hours of

4 suicide assessment, referral, treatment, and management training **and has completed two hours**
5 **of cultural competency training.** The application shall contain the applicant's statements
6 showing his education, experience and such other information as the division may require. Each
7 application shall contain a statement that it is made under oath or affirmation and that the
8 information contained therein is true and correct to the best knowledge and belief of the
9 applicant, subject to the penalties provided for the making of a false affidavit or declaration.
10 Each application shall be accompanied by the fees required by the committee.

11 2. The division shall mail a renewal notice to the last known address of each licensee
12 prior to the registration renewal date. Failure to provide the division with the information
13 required for registration, or to pay the registration fee after such notice shall result in the
14 expiration of the license. The license shall be restored if, within two years of the registration
15 date, the applicant provides written application and the payment of the registration fee and a
16 delinquency fee.

17 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
18 subject to the rules of the committee, upon payment of a fee.

19 4. The committee shall set the amount of the fees which sections 337.500 to 337.540
20 authorize and require by rules and regulations promulgated pursuant to section 536.021. The
21 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and
22 expense of administering the provisions of sections 337.500 to 337.540. All fees provided for
23 in sections 337.500 to 337.540 shall be collected by the director who shall deposit the same with
24 the state treasurer in a fund to be known as the "Committee of Professional Counselors Fund".

25 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
26 shall not be transferred and placed to the credit of general revenue until the amount in the fund
27 at the end of the biennium exceeds two times the amount of the appropriation from the
28 committee's fund for the preceding fiscal year or, if the committee requires by rule renewal less
29 frequently than yearly then three times the appropriation from the committee's fund for the
30 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
31 fund which exceeds the appropriate multiple of the appropriations from the committee's fund for
32 the preceding fiscal year.

33 6. The committee shall hold public examinations at least two times per year, at such
34 times and places as may be fixed by the committee, notice of such examinations to be given to
35 each applicant at least ten days prior thereto.

337.510. 1. Each applicant for licensure as a professional counselor shall furnish
2 evidence to the committee that the applicant is at least eighteen years of age, is of good moral
3 character, is a United States citizen or is legally present in the United States; and

4 (1) The applicant has completed a course of study as defined by the board rule leading
5 to a master's, specialist's, or doctoral degree with a major in counseling, except any applicant
6 who has held a license as a professional counselor in this state or currently holds a license as a
7 professional counselor in another state shall not be required to have completed any courses
8 related to career development; and

9 (2) The applicant has completed acceptable supervised counseling as defined by board
10 rule. If the applicant has a master's degree with a major in counseling as defined by board rule,
11 the applicant shall complete at least two years of acceptable supervised counseling experience
12 subsequent to the receipt of the master's degree. The composition and number of hours
13 comprising the acceptable supervised counseling experience shall be defined by board rule. An
14 applicant may substitute thirty semester hours of post master's graduate study for one of the two
15 required years of acceptable supervised counseling experience if such hours are clearly related
16 to counseling;

17 (3) After August 28, 2007, each applicant shall have completed a minimum of three
18 hours of graduate level coursework in diagnostic systems either in the curriculum leading to a
19 degree or as post master's graduate level course work;

20 (4) Upon examination, the applicant is possessed of requisite knowledge of the
21 profession, including techniques and applications, research and its interpretation, and
22 professional affairs and ethics.

23 2. Any person holding a current license, certificate of registration, or permit from another
24 state or territory of the United States to practice as a professional counselor who does not meet
25 the requirements in section 324.009 and who is at least eighteen years of age, is of good moral
26 character, and is a United States citizen or is legally present in the United States may be granted
27 a license without examination to engage in the practice of professional counseling in this state
28 upon the application to the board, payment of the required fee as established by the board, and
29 satisfying one of the following requirements:

30 (1) Approval by the American Association of State Counseling Boards (AASCB) or its
31 successor organization according to the eligibility criteria established by AASCB. The successor
32 organization shall be defined by board rule; or

33 (2) In good standing and currently certified by the National Board for Certified
34 Counselors or its successor organization and has completed acceptable supervised counseling
35 experience as defined by board rule. The successor organization shall be defined by board rule.

36 3. The committee shall issue a license to each person who files an application and fee
37 and who furnishes evidence satisfactory to the committee that the applicant has complied with
38 the provisions of this act and has taken and passed a written, open-book examination on Missouri
39 laws and regulations governing the practice of professional counseling as defined in section

40 337.500. The division shall issue a provisional professional counselor license to any applicant
41 who meets all requirements of this section, but who has not completed the required acceptable
42 supervised counseling experience and such applicant may reapply for licensure as a professional
43 counselor upon completion of such acceptable supervised counseling experience.

44 4. All persons licensed to practice professional counseling in this state shall pay on or
45 before the license renewal date a renewal license fee and shall furnish to the committee
46 satisfactory evidence of the completion of the requisite number of hours of continuing education
47 as required by rule, including two hours of suicide assessment, referral, treatment, and
48 management training **and two hours of cultural competency training**, which shall be no more
49 than forty hours biennially. The continuing education requirements may be waived by the
50 committee upon presentation to the committee of satisfactory evidence of the illness of the
51 licensee or for other good cause.

337.515. 1. Each license issued pursuant to the provisions of sections 337.500 to
2 337.540 shall expire on the renewal date. The division shall renew any license upon application
3 for renewal and upon payment of the fee established by the committee pursuant to the provisions
4 of section 337.507.

5 **2. Any professional counselor wishing to renew his or her license shall complete two**
6 **hours of cultural competency training that meets guidelines developed by the committee.**

337.612. 1. Applications for licensure as a clinical social worker, baccalaureate social
2 worker, advanced macro social worker or master social worker shall be in writing, submitted to
3 the committee on forms prescribed by the committee and furnished to the applicant. The form
4 shall include a statement that the applicant has completed two hours of suicide assessment,
5 referral, treatment, and management training **and two hours of cultural competency training**.
6 The application shall contain the applicant's statements showing the applicant's education,
7 experience, and such other information as the committee may require. Each application shall
8 contain a statement that it is made under oath or affirmation and that the information contained
9 therein is true and correct to the best knowledge and belief of the applicant, subject to the
10 penalties provided for the making of a false affidavit or declaration. Each application shall be
11 accompanied by the fees required by the committee.

12 2. The committee shall mail a renewal notice to the last known address of each licensee
13 prior to the licensure renewal date. Failure to provide the committee with the information
14 required for licensure, or to pay the licensure fee after such notice shall result in the expiration
15 of the license. The license shall be restored if, within two years of the licensure date, the
16 applicant provides written application and the payment of the licensure fee and a delinquency
17 fee.

18 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
19 subject to the rules of the committee, upon payment of a fee.

20 4. The committee shall set the amount of the fees which sections 337.600 to 337.689
21 authorize and require by rules and regulations promulgated pursuant to section 536.021. The
22 fees shall be set at a level to produce revenue which shall not substantially exceed the cost and
23 expense of administering the provisions of sections 337.600 to 337.689. All fees provided for
24 in sections 337.600 to 337.689 shall be collected by the director who shall deposit the same with
25 the state treasurer in a fund to be known as the "Clinical Social Workers Fund". After August
26 28, 2007, the clinical social workers fund shall be called the "Licensed Social Workers Fund"
27 and after such date all references in state law to the clinical social workers fund shall be
28 considered references to the licensed social workers fund.

29 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
30 shall not be transferred and placed to the credit of general revenue until the amount in the fund
31 at the end of the biennium exceeds two times the amount of the appropriations from the licensed
32 social workers fund for the preceding fiscal year or, if the committee requires by rule renewal
33 less frequently than yearly, then three times the appropriation from the committee's fund for the
34 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
35 fund which exceeds the appropriate multiple of the appropriations from the clinical social
36 workers fund for the preceding fiscal year.

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

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

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

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

17 (4) **The applicant has completed two hours of cultural competency training that**
18 **meets the guidelines developed by the committee; and**

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

22 2. Any person holding a current license, certificate of registration, or permit from another
23 state or territory of the United States or the District of Columbia to practice clinical social work
24 who does not meet the requirements of section 324.009 and who has had no disciplinary action
25 taken against the license, certificate of registration, or permit for the preceding five years may
26 be granted a license to practice clinical social work in this state if the person has received a
27 masters or doctoral degree from a college or university program of social work accredited by the
28 council of social work education and has been licensed to practice clinical social work for the
29 preceding five years.

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

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

 337.662. 1. Applications for licensure as a baccalaureate social worker shall be in
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the
3 applicant. The form shall include a statement that the applicant has completed two hours of
4 suicide assessment, referral, treatment, and management training, **and two hours of cultural**
5 **competency training as required in this subsection.** The application shall contain the
6 applicant's statements showing the applicant's education, experience and such other information
7 as the committee may require. Each application shall contain a statement that it is made under

8 oath or affirmation and that the information contained therein is true and correct to the best
9 knowledge and belief of the applicant, subject to the penalties provided for the making of a false
10 affidavit or declaration. Each application shall be accompanied by the fees required by the
11 committee. **In addition to the requirements for licensure under this subsection, the**
12 **applicant shall complete two hours of cultural competency training that meets guidelines**
13 **developed by the committee in order to obtain a license under this section.**

14 2. The committee shall mail a renewal notice to the last known address of each licensee
15 prior to the licensure renewal date. **To renew a license, the licensee shall complete two hours**
16 **of cultural competency training that meets the guidelines developed by the committee.**
17 Failure to provide the committee with the information required for licensure as provided in
18 subsection 1 of this section, or to pay the licensure fee after such notice shall result in the
19 expiration of the license. The license shall be restored if, within two years of the licensure date,
20 the applicant provides written application and the payment of the licensure fee and a delinquency
21 fee.

22 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
23 subject to the rules of the committee, upon payment of a fee.

24 4. The committee shall set the amount of the fees which sections 337.650 to 337.689
25 authorize and require by rules and regulations promulgated pursuant to chapter 536. The fees
26 shall be set at a level to produce revenue which shall not substantially exceed the cost and
27 expense of administering the provisions of sections 337.650 to 337.689. All fees provided for
28 in sections 337.650 to 337.689 shall be collected by the director who shall deposit the same with
29 the state treasurer in the clinical social workers fund established in section 337.612.

337.712. 1. Applications for licensure as a marital and family therapist shall be in
2 writing, submitted to the committee on forms prescribed by the committee and furnished to the
3 applicant. **The form shall include a statement that the applicant has completed two hours**
4 **of cultural competency training.** The application shall contain the applicant's statements
5 showing the applicant's education, experience and such other information as the committee may
6 require. Each application shall contain a statement that it is made under oath or affirmation and
7 that the information contained therein is true and correct to the best knowledge and belief of the
8 applicant, subject to the penalties provided for the making of a false affidavit or declaration.
9 Each application shall be accompanied by the fees required by the division.

10 2. The division shall mail a renewal notice to the last known address of each licensee
11 prior to the licensure renewal date. Failure to provide the division with the information required
12 for licensure, or to pay the licensure fee after such notice shall result in the expiration of the
13 license. The license shall be restored if, within two years of the licensure date, the applicant
14 provides written application and the payment of the licensure fee and a delinquency fee.

15 3. A new certificate to replace any certificate lost, destroyed or mutilated may be issued
16 subject to the rules of the division upon payment of a fee.

17 4. The committee shall set the amount of the fees authorized. The fees shall be set at a
18 level to produce revenue which shall not substantially exceed the cost and expense of
19 administering the provisions of sections 337.700 to 337.739. All fees provided for in sections
20 337.700 to 337.739 shall be collected by the director who shall deposit the same with the state
21 treasurer to a fund to be known as the "Marital and Family Therapists' Fund".

22 5. The provisions of section 33.080 to the contrary notwithstanding, money in this fund
23 shall not be transferred and placed to the credit of general revenue until the amount in the fund
24 at the end of the biennium exceeds two times the amount of the appropriations from the marital
25 and family therapists' fund for the preceding fiscal year or, if the division requires by rule
26 renewal less frequently than yearly then three times the appropriation from the fund for the
27 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the
28 fund which exceeds the appropriate multiple of the appropriations from the marital and family
29 therapists' fund for the preceding fiscal year.

 337.715. 1. Each applicant for licensure or provisional licensure as a marital and family
2 therapist shall furnish evidence to the committee that:

3 (1) The applicant has a master's degree or a doctoral degree in marital and family therapy
4 from a program accredited by the Commission on Accreditation for Marriage and Family
5 Therapy Education, or its equivalent as defined by committee regulation, from an educational
6 institution accredited by a regional accrediting body that is recognized by the United States
7 Department of Education;

8 (2) The applicant for licensure as a marital and family therapist has twenty-four months
9 of postgraduate supervised clinical experience acceptable to the committee, as the state
10 committee determines by rule;

11 (3) After August 28, 2008, the applicant shall have completed a minimum of three
12 semester hours of graduate-level course work in diagnostic systems either within the curriculum
13 leading to a degree as defined in subdivision (1) of this subsection or as post-master's
14 graduate-level course work. Each applicant shall demonstrate supervision of diagnosis as a core
15 component of the postgraduate supervised clinical experience as defined in subdivision (2) of
16 this subsection;

17 (4) Upon examination, the applicant is possessed of requisite knowledge of the
18 profession, including techniques and applications research and its interpretation and professional
19 affairs and ethics;

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

23 (6) **The applicant has completed two hours of cultural competency training that**
24 **meets guidelines developed by the committee.**

25 2. Any person otherwise qualified for licensure holding a current license, certificate of
26 registration, or permit from another state or territory of the United States or the District of
27 Columbia to practice marriage and family therapy may be granted a license without examination
28 to engage in the practice of marital and family therapy in this state upon application to the state
29 committee, payment of the required fee as established by the state committee, and satisfaction
30 of the following:

31 (1) Determination by the state committee that the requirements of the other state or
32 territory are substantially the same as Missouri;

33 (2) Verification by the applicant's licensing entity that the applicant has a current license;
34 and

35 (3) Consent by the applicant to examination of any disciplinary history in any state.

36 3. The state committee shall issue a license to each person who files an application and
37 fee as required by the provisions of sections 337.700 to 337.739.

337.718. 1. Each license issued pursuant to the provisions of sections 337.700 to
2 337.739 shall expire on a renewal date established by the director. The term of licensure shall
3 be twenty-four months; however, the director may establish a shorter term for the first licenses
4 issued pursuant to sections 337.700 to 337.739. The division shall renew any license upon
5 application for a renewal and upon payment of the fee established by the division pursuant to the
6 provisions of section 337.712. Effective August 28, 2008, as a prerequisite for renewal, each
7 licensed marital and family therapist shall furnish to the committee satisfactory evidence of the
8 completion of the requisite number of hours of continuing education as defined by rule, which
9 shall be no more than forty contact hours biennially. At least two hours of continuing education
10 shall be in suicide assessment, referral, treatment, and management training **and at least two**
11 **hours of continuing education shall be in cultural competency training.** The continuing
12 education requirements may be waived by the committee upon presentation to the committee of
13 satisfactory evidence of illness or for other good cause.

14 2. The committee may issue temporary permits to practice under extenuating
15 circumstances as determined by the committee and defined by rule.

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